

KNOX COUNTY BOARD OF COMMISSIONERS

The Knox County Board of Commissioners met in Regular Session on Monday, January 26, 2004 at 2:00 p.m. in the Main Assembly Room of the City-County Building, Main Avenue. Those members present were Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Arms, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills and Clark. Commissioner Pinkston was absent from the meeting. Also present were Mr. Mike Moyers, Knox County Law Director, Mr. Richard Walls, Knox County Internal Auditor, Mr. Mike Ragsdale, Knox County Mayor, Mr. John Werner, Knox County Finance Director, Mr. Ewing "Buzz" Johnson, Director of Development Services for Metropolitan Planning Commission, Mr. Dave Hill, Executive Director for Metropolitan Planning Commission, and members of the news media.

Commissioner Collins, Chairman, presided.

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

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IN RE: ROLL CALL: (Book 18/Page 248)

Mrs. Martha Beeler, Administrative Assistant to the Knox County Clerk, called the roll.

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IN RE: DEVOTIONAL: (Book 18/Page 248)

Mr. Bob Jones, Echota Boy Scout Troop, gave the devotional.

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IN RE: PLEDGE OF ALLEGIANCE TO THE FLAG: (Book 18/Page 248)

Commissioner Schmid led the Pledge of Allegiance to the Flag.

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IN RE: **AMENDMENTS TO THE AGENDA:** *(Book 18/Page 249-252_*

1. At this time, Ms. Bonny Naugher and Ms. Maggie Carini, Volunteers for the Knox County Public Library System, were present and spoke concerning One Book, One Community and presented each commissioner with a book entitled “A Gathering of Old Men” by Ernest Gaines.

2. Without objection, Commissioner Collins amended the agenda to withdraw the following item: Resolution R-04-1-203 - Consideration of a resolution of the Commission of Knox County, Tennessee, approving a lease agreement between Knox County and the Tennessee Society, Sons of the Revolution. He also amended the agenda to add the following items: Resolution R-04-1-105 - Consideration of a resolution of the Commission of Knox County, Tennessee, memorializing Mahalia Keith; Resolution R-04-1-106 - Consideration of a resolution of the Commission of Knox County, Tennessee, honoring Melvenia G. Smith; Resolution R-04-1-107 - Consideration of a resolution of the Commission of Knox County, Tennessee, memorializing Julian Link; Resolution R-04-1-602 - Consideration of a resolution of the Commission of Knox County, Tennessee, approving a grant agreement in the amount of \$348,200.00 between the Knox County Health Department and the Tennessee Department of Health to continue the HIV/AIDS Centers of Excellence Service; Resolution R-04-1-804 - Consideration of a resolution of the Commission of Knox County, Tennessee, amending Resolution

R-03-6-801; Resolution R-04-1-904 - Consideration of a resolution of the Commission of Knox County, Tennessee, appropriating \$21,000.00 to cover salary and benefits for the new Director of Agricultural Extension Service; Resolution R-04-1-906 - Consideration of a resolution of the Commission of Knox County, Tennessee, authorizing the Knox County Mayor to enter into an agreement with the City of Knoxville to launch and establish a Family Justice Center; Resolution R-04-1-112 - Consideration of a resolution of the Commission of Knox County, Tennessee, appointing Harry Call to the Industrial Development Board; Resolution R-04-1-304 - Consideration of a resolution of the Commission of Knox County, Tennessee, approving the 2004 HIDTA Grant Agreements; and Resolution R-04-1-905 - Consideration of a resolution of the Commission of Knox County, Tennessee, approving the Knox County Commission Office Personnel Policy.

3. Commissioner Collins amended the agenda to defer the following items to the February 2004 Board of Commissioners meeting: Resolution R-04-1-101 - Consideration of a resolution of the Commission of Knox County, Tennessee, honoring Sarah Simpson upon her retirement; and Resolution R-04-1-102 - Consideration of a resolution of the Commission of Knox County, Tennessee, memorializing Archie F. Weaver. He also amended the agenda to remove the following items from the Consent Calendar to be heard on the Regular Agenda: Resolution R-04-1-103 - Consideration of a resolution of the Commission of Knox County, Tennessee, memorializing Louie Brooks Hegidio; Resolution R-04-1-104 - Consideration of a resolution of the Commission of Knox County, Tennessee, memorializing Larry Fleming; and Resolution R-04-1-105

Consideration of a resolution of the Commission of Knox County, Tennessee, memorializing Mahalia Keith.

4. Commissioner Collins amended the agenda to remove the following item from the Consent Calendar to be heard on the Regular Agenda: Resolution R-04-1-801 - Consideration of a resolution of the Commission of Knox County, Tennessee, appropriating \$4,561,941.00 and approving a contract with Lawson Software, Inc. for an Enterprise Resource Planning System.

5. Commissioner Griess moved to amend the agenda to add the following item: Resolution R-04-1-909 - Consideration of a resolution of the Commission of Knox County, Tennessee, urging all American citizens to proclaim to every level of Government its responsibility to publicly recognize God As the Foundation Of Our National Heritage to be heard after completion of Resolution R-04-1-105. Commissioner Jordan seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Guthe, Schmid, Arms, Leuthold, Griess, Cawood, Stephens, Horner, McMillan, Mills and Clark voted aye. Commissioners Harmon and Moore voted no. Commissioner Pinkston was absent from the meeting. The motion carried 16-2-0-1.

Mr. Mike Moyers, Knox County Law Director, was present and spoke on the matter.

6. Without objection, Commissioner Collins amended the agenda to defer the following item to the February 2004 Board of Commissioners meeting: Resolution R-04-1-902 - Consideration of a resolution of the Commission of Knox County, Tennessee, requesting a

change by MPC in the residential density definitions used in sector plans.

He also amended the agenda to add the following item: Resolution R-04-1-908 - Consideration of a resolution of the Commission of Knox County, Tennessee, supporting the passage of legislation to apply current life safety codes to all assisted living facilities.

7. Without objection, Commissioner Collins amended the agenda to defer the following item to the February 2004 Board of Commissioners meeting: Resolution R-04-1-106 - Consideration of a resolution of the Commission of Knox County, Tennessee, honoring Melvenia G. Smith.

8. Commissioner Collins amended the agenda to add the following item: Resolution R-04-1-907 - Consideration of a resolution of the Commission of Knox County, Tennessee, renaming the Bonny Kate Library the Howard E. Pinkston Library to be heard after completion of Resolution R-04-1-906.

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IN RE: CONSENT ITEMS: (Book 18/Page 252)

1. Tax Refunds:

No request received.

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2. Notary Public Applications:

187 Notary Public Applications received.

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3. Reports of Officials:

A. County Executive

B. County Law Director

- C. Superintendent of Schools
- D. Trustee
- E. Medical Examiner
- F. Sheriff
- G. Public Libraries
- H. Old Records

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4. Reports of County Agencies:

- A. Department of Human Services
- B. Department of Child and Family Services
- C. Department of Air Quality Management
- D. Metropolitan Planning Commission
- E. Sheriff's Merit System
- F. Pre-Trial Release
- G. Jail Inspection Committee
- H. Alternative Sentencing Program
- I. Ambulance Review Commission

Commissioner Horner moved to approve all Consent Items.

Commissioner Mills seconded the motion and upon roll call vote

Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon,

Guthe, Schmid, Arms, Leuthold, Griess, Cawood, Stephens, Horner, Moore,

McMillan, Mills and Clark voted aye. Commissioner Pinkston was absent

from the meeting. The motion carried 18-0-0-1.

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IN RE: CONSENT CALENDAR: (Book 18/Page 254)

**IN RE: CONSIDERATION OF A RESOLUTION OF THE
COMMISSION OF KNOX COUNTY, TENNESSEE, HONORING
SARAH SIMPSON UPON HER RETIREMENT – R-04-1-101: (Book
18/Page 254)**

This item was deferred to the February 2004 Board of Commissioners meeting. (See Amendments to the Agenda, Page 250)

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**IN RE: CONSIDERATION OF A RESOLUTION OF THE
COMMISSION OF KNOX COUNTY, TENNESSEE, HONORING
MEMORIALIZING ARCHIE F. WEAVER - R-04-1-102: (Book 18/Page
254)**

This item was deferred to the February 2004 Board of Commissioners meeting. (See Amendments to the Agenda, Page 250)

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**IN RE: CONSIDERATION OF A RESOLUTION OF THE
COMMISSION OF KNOX COUNTY, TENNESSEE, MEMORIALIZING
LOUIE BROOKS HEGIDIO – R-04-1-103: (Book 18/Page 254)**

This item was heard later on the day's agenda. (See Page 269)

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IN RE: CONSIDERATION OF A RESOLUTION OF THE
COMMISSION OF KNOX COUNTY, TENNESSEE, MEMORIALIZING
LARRY FLEMING - R-04-1-104: (Book 18/Page 254)

This item was heard later on the day's agenda. (See Page
__270__)

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IN RE: CONSIDERATION OF A RESOLUTION OF THE
COMMISSION OF KNOX COUNTY, TENNESSEE, MEMORIALIZING
MAHALIA KEITH - R-04-1-105: (Book 18/Page 255)

This item was heard later on the day's agenda. (See Page
__271__)

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IN RE: CONSIDERATION OF A RESOLUTION OF THE
COMMISSION OF KNOX COUNTY, TENNESSEE, HONORING
MELVENIA G. SMITH - R-04-1-106: (Book 18/Page 255)

This item was deferred to the February 2004 Board of
Commissioners meeting. (See Amendments to the Agenda, Page __252__)

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IN RE: CONSIDERATION OF A RESOLUTION OF THE
COMMISSION OF KNOX COUNTY, TENNESSEE, MEMORIALIZING
JULIAN LINK - R-04-1-107: (Book 18/Page 255)

Consideration of a resolution of the Commission of Knox
County, Tennessee, memorializing Julian Link was before the Board of
Commissioners.

Commissioner Mills moved to approve Resolution R-04-1-107
Resolution of the Commission of Knox County, Tennessee, memorializing

Julian Link. Commissioner Horner seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Arms, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills and Clark voted aye. Commissioner Pinkston was absent from the meeting. The motion carried 18-0-0-1.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, APPROPRIATING \$21,000.00 FOR THE DESIGN OF STADIUM SEATING UPGRADES AT AUSTIN-EAST HIGH SCHOOL – R-04-1-202: (Book 18/Page 256)

Consideration of a resolution of the Commission of Knox County, Tennessee, appropriating \$21,000.00 for the design of stadium seating upgrades at Austin-East High School was before the Board of Commissioners.

Commissioner Mills moved to approve Resolution R-04-1-202 Resolution of the Commission of Knox County, Tennessee, appropriating \$21,000.00 for the design of stadium seating upgrades at Austin-East High School. Commissioner Horner seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Arms, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills and Clark voted aye. Commissioner Pinkston was absent from the meeting. The motion carried 18-0-0-1.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, APPROPRIATING \$525,000.00 TO BEGIN SECURITY EQUIPMENT UPDATES AT THE

KNOX COUNTY DETENTION FACILITY – R-04-1-301: (Book 18/Page 256)

Consideration of a resolution of the Commission of Knox County, Tennessee, appropriating \$525,000.00 to begin security equipment updates at the Knox County Detention Facility was before the Board of Commissioners.

Commissioner Mills moved to approve resolution R-04-1-301 Resolution of the Commission of Knox County, Tennessee, appropriating \$525,000.00 to begin security equipment updates at the Knox County Detention Facility. Commissioner Horner seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Arms, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills and Clark voted aye. Commissioner Pinkston was absent from the meeting. The motion carried 18-0-0-1.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, APPROVING A CONTRACT WITH WILLO PRODUCTS COMPANY, INC. FOR UPDATE AND REPAIR OF ALL DOORS AT THE KNOX COUNTY DETENTION FACILITY – R-04-1-302: (Book 18/Page 257)

Consideration of a resolution of the Commission of Knox County, Tennessee, approving a contract with Willo Products Company, Inc. for update and repair of all doors at the Knox County Detention Facility was before the Board of Commissioners.

Commissioner Mills moved to approve Resolution R-04-1-302 Resolution of the Commission of Knox County, Tennessee, approving a

contract with Willo Products Company, Inc. for update and repair of all doors at the Knox County Detention Facility. Commissioner Horner seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Arms, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills and Clark voted aye. Commissioner Pinkston was absent from the meeting. The motion carried 18-0-0-1.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE
COMMISSION OF KNOX COUNTY, TENNESSEE, APPROVING A
CONTRACT BETWEEN KNOX COUNTY AND POMEROY FOR THE
SHERIFF’S RECORDS MANAGEMENT SYSTEM – R-04-1-303: (Book
18/Page 258)

Consideration of a resolution of the Commission of Knox County, Tennessee, approving a contract between Knox County and Pomeroy for the Sheriff’s Records Management System was before the Board of Commissioners.

Commissioner Mills moved to approve Resolution R-04-1-303 Resolution of the Commission of Knox County, Tennessee, approving a contract between Knox County and Pomeroy for the Sheriff’s Records Management System. Commissioner Horner seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Arms, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills and Clark voted aye. Commissioner Pinkston was absent from the meeting. The motion carried 18-0-0-1.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE
COMMISSION OF KNOX COUNTY, TENNESSEE, APPROPRIATING
\$1,470,000.00 FOR BRIDGE REPLACEMENT AS RECOMMENDED
BY TDOT – R-04-1-401: (Book 18/Page 258)

Consideration of a resolution of the Commission of Knox County, Tennessee, appropriating \$1,470,000.00 for bridge replacement as recommended by TDOT was before the Board of Commissioners.

Mr. Bruce Wuethrich, Director for Knox County Engineering and Public Works, was present and spoke on the matter.

Commissioner Mills moved to approve Resolution R-04-1-401 Resolution of the Commission of Knox County, Tennessee, appropriating \$1,470,000.00 for bridge replacement as recommended by TDOT.

Commissioner Horner seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Arms, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills and Clark voted aye. Commissioner Pinkston was absent from the meeting. The motion carried 18-0-0-1.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE
COMMISSION OF KNOX COUNTY, TENNESSEE, APPROPRIATING
\$317,650.00 FOR CONSTRUCTION OF A BODY SHOP WITH PAINT
BOOTH FOR THE KNOX COUNTY SERVICE CENTER – R-04-1-402:
(Book 18/Page 259)

Consideration of a resolution of the Commission of Knox County, Tennessee, appropriating \$317,650.00 for construction of a body

shop with paint booth for the Knox County Service Center was before the Board of Commissioners.

Commissioner Mills moved to approve Resolution R-04-1-402 Resolution of the Commission of Knox County, Tennessee, appropriating \$317,650.00 for construction of a body shop with paint booth for the Knox County Service Center. Commissioner Horner seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Arms, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills and Clark voted aye. Commissioner Pinkston was absent from the meeting. The motion carried 18-0-0-1.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, APPROVING A GRANT AGREEMENT IN THE AMOUNT OF \$150,000.00 FOR LOCAL HOMELAND SECURITY FIRST RESPONDERS ENHANCEMENTS – R-04-1-501: (Book 18/Page 260)

Consideration of a resolution of the Commission of Knox County, Tennessee, approving a grant agreement in the amount of \$150,000.00 for local Homeland Security First Responders Enhancements was before the Board of Commissioners.

Commissioner Mills moved to approve Resolution R-04-1-501 Resolution of the Commission of Knox County, Tennessee, approving a grant agreement in the amount of \$150,000.00 for local Homeland Security First Responders Enhancements. Commissioner Horner seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins,

Tindell, Moody, Harmon, Guthe, Schmid, Arms, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills and Clark voted aye.

Commissioner Pinkston was absent from the meeting. The motion carried 18-0-0-1.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE
COMMISSION OF KNOX COUNTY, TENNESSEE, APPROVING TWO
GRANT AGREEMENTS BETWEEN KNOX COUNTY GOVERNMENT
AND THE UNIVERSITY OF SOUTH FLORIDA TO CONTINUE THE
FRIENDLY ACCESS AND WORKFORCE DEVELOPMENT
TRAINING PROGRAM FOR COMMUNITY BASED SERVICE
PROVIDERS FOR THE HEALTH OF MOTHERS, INFANTS AND
YOUNG CHILDREN – R-04-1-601: (Book 18/Page 261)

Consideration of a resolution of the Commission of Knox County, Tennessee, approving two grant agreements between Knox County Government and the University of South Florida to continue the Friendly Access and Workforce Development training program for community based service providers for the health of mothers, infants and young children was before the Board of Commissioners.

Commissioner Mills moved to approve Resolution R-04-1-601 Resolution of the Commission of Knox County, Tennessee, approving two grant agreements between Knox County Government and the University of South Florida to continue the Friendly Access and Workforce Development training program for community based service providers for the health of mothers, infants and young children. Commissioner Horner seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins,

Tindell, Moody, Harmon, Guthe, Schmid, Arms, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills and Clark voted aye.

Commissioner Pinkston was absent from the meeting. The motion carried 18-0-0-1.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE
COMMISSION OF KNOX COUNTY, TENNESSEE, APPROVING A
GRANT AGREEMENT IN THE AMOUNT OF \$348,200.00 BETWEEN
THE KNOX COUNTY HEALTH DEPARTMENT AND THE
TENNESSEE DEPARTMENT OF HEALTH TO CONTINUE THE
HIV/AIDS CENTERS OF EXCELLENCE SERVICE – R-04-1-602:
(Book 18/Page 262)

Consideration of a resolution of the Commission of Knox County, Tennessee, approving a grant agreement in the amount of \$348,200.00 between the Knox County Health Department and the Tennessee Department of Health to continue the HIV/AIDS Centers of Excellence Service was before the Board of Commissioners.

Commissioner Mills moved to approve Resolution R-04-1-602 Resolution of the Commission of Knox County, Tennessee, approving a grant agreement in the amount of \$348,200.00 between the Knox County Health Department and the Tennessee Department of Health to continue the HIV/AIDS Centers of Excellence Service. Commissioner Horner seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Arms, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills and Clark voted aye.

Commissioner Pinkston was absent from the meeting. The motion carried 18-0-0-1.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, APPROPRIATING \$130,000.00 FOR CONSTRUCTION OF A TOURNAMENT PAVILION AT THREE RIDGES GOLF COURSE – R-04-1-701: (Book 18/Page 262)

Consideration of a resolution of the Commission of Knox County, Tennessee, appropriating \$130,000.00 for construction of a Tournament Pavilion at Three Ridges Golf Course was before the Board of Commissioners.

Commissioner Mills moved to approve Resolution R-04-1-701 Resolution of the Commission of Knox County, Tennessee, appropriating \$130,000.00 for construction of a Tournament Pavilion at Three Ridges Golf Course. Commissioner Horner seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Arms, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills and Clark voted aye. Commissioner Pinkston was absent from the meeting. The motion carried 18-0-0-1.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, APPROPRIATING \$300,000.00 FOR HALLS COMMUNITY PARK RENOVATIONS – R-04-1-702: (Book 18/Page 263)

Consideration of a resolution of the Commission of Knox County, Tennessee, appropriating \$300,000.00 for Halls Community Park Renovations was before the Board of Commissioners.

Commissioner Mills moved to approve Resolution R-04-1-702 Resolution of the Commission of Knox County, Tennessee, appropriating \$300,000.00 for Halls Community Park Renovations. Commissioner Horner seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Arms, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills and Clark voted aye. Commissioner Pinkston was absent from the meeting. The motion carried 18-0-0-1.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, APPROPRIATING \$4,561,941.00 AND APPROVING A CONTRACT WITH LAWSON SOFTWARE, INC. FOR AN ENTERPRISE RESOURCE PLANNING SYSTEM – R-04-1-801: (Book 18/Page 264)

This item was heard later on the day's agenda. (See Page 279)

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IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, APPROPRIATING \$172,852.00 IN MATCHING FUNDS FOR THE REAL PROPERTY REAPPRAISAL GRANT – R-04-1-802: (Book 18/Page 264)

Consideration of a resolution of the Commission of Knox County, Tennessee, appropriating \$172,852.00 in matching funds for the real property reappraisal grant was before the Board of Commissioners.

Commissioner Mills moved to approve Resolution R-04-1-802 Resolution of the Commission of Knox County, Tennessee, appropriating \$172,852.00 in matching funds for the real property reappraisal grant.

Commissioner Horner seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Arms, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills and Clark voted aye. Commissioner Pinkston was absent from the meeting. The motion carried 18-0-0-1.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, APPROPRIATING \$437,717.00 FOR PBA PROJECT MANAGEMENT – R-04-1-803: (Book 18/Page 265)

Consideration of a resolution of the Commission of Knox County, Tennessee, appropriating \$437,717.00 for PBA Project Management was before the Board of Commissioners.

Commissioner Mills moved to approve Resolution R-04-1-803 Resolution of the Commission of Knox County, Tennessee, appropriating \$437,717.00 for PBA Project Management. Commissioner Horner seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Tindell, Moody, Harmon, Guthe, Schmid, Arms, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills and Clark voted aye.

Commissioner Collins recused himself from the vote. Commissioner Pinkston was absent from the meeting. The motion carried 17-0-1-1.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, AMENDING RESOLUTION R-03-6-801 – R-04-1-804: (Book 18/Page 265)

Consideration of a resolution of the Commission of Knox County, Tennessee, amending Resolution R-03-6-801 was before the Board of Commissioners.

Commissioner Mills moved to approve Resolution R-04-1-804 Resolution of the Commission of Knox County, Tennessee, amending Resolution R-03-6-801. Commissioner Horner seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Arms, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills and Clark voted aye. Commissioner Pinkston was absent from the meeting. The motion carried 18-0-0-1.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, APPROVING THE KNOX COUNTY GOVERNMENT SAFETY POLICIES AND PROCEDURES MANUAL – R-04-1-903: (Book 18/Page 266)

Consideration of a resolution of the Commission of Knox County, Tennessee, approving the Knox County Government Safety Policies and Procedures Manual was before the Board of Commissioners.

Commissioner Mills moved to approve Resolution R-04-1-903 Resolution of the Commission of Knox County, Tennessee, approving the Knox County Government Safety Policies and Procedures Manual.

Commissioner Horner seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Arms, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills and Clark voted aye. Commissioner Pinkston was absent from the meeting. The motion carried 18-0-0-1.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE
COMMISSION OF KNOX COUNTY, TENNESSEE, APPROPRIATING
\$21,000.00 TO COVER SALARY AND BENEFITS FOR THE NEW
DIRECTOR OF AGRICULTURAL EXTENSION SERVICE –
R-04-1-904 (Book 18/Page 266)

Consideration of a resolution of the Commission of Knox County, Tennessee, appropriating \$21,000.00 to cover salary and benefits for the new Director of Agricultural Extension Service was before the Board of Commissioners.

Commissioner Mills moved to approve Resolution R-04-1-904 Resolution of the Commission of Knox County, Tennessee, appropriating \$21,000.00 to cover salary and benefits for the new Director of Agricultural Extension Service. Commissioner Horner seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Arms, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills and Clark voted aye. Commissioner Pinkston was absent from the meeting. The motion carried 18-0-0-1.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, AUTHORIZING THE KNOX COUNTY MAYOR TO ENTER INTO AGREEMENT WITH THE CITY OF KNOXVILLE TO LAUNCH AND ESTABLISH A FAMILY JUSTICE CENTER – R-04-1-906: (Book 18/Page 267)

Consideration of a resolution of the Commission of Knox County, Tennessee, authorizing the Knox County Mayor to enter into agreement with the City of Knoxville to launch and establish a Family Justice Center was before the Board of Commissioners.

Commissioner Mills moved to approve Resolution R-04-1-906 Resolution of the Commission of Knox County, Tennessee, authorizing the Knox County Mayor to enter into agreement with the City of Knoxville to launch and establish a Family Justice Center. Commissioner Horner seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Arms, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills and Clark voted aye. Commissioner Pinkston was absent from the meeting. The motion carried 18-0-0-1.

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IN RE: ACCEPTANCE OF NEW COUNTY ROADS: (Book 18/Page 268)

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

- A. Wheatmeadow Road, Wheatmeadow Subdivision, District 8.
- B. Gary White Road, Wheatmeadow Subdivision, District 8.

- C. Ralph Youmans, Wheatmeadow Subdivision, District 8.
- D. Bill Keaton Drive, Wheatmeadow Subdivision, District 8.
- E. Discovery Lane, Technology Center Park Subdivision, District 6.
- F. Corridor Park Boulevard, Technology Center Park Subdivision,
District 6.
- G. Ambergate Drive, Brickyard Hill Subdivision, District 6.
- H. Beechtree Lane, Brickyard Hill Subdivision, District 6.
- I. Cartmill Drive, Brickyard Hills Subdivision, District 6.
- J. Downview Road, Brickyard Hill Subdivision, District 6.
- K. Fleming Valley Lane, Brighton Park Subdivision, District 6.

Commissioner Mills moved to approve the above acceptance of new county roads. Commissioner Horner seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Arms, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills and Clark voted aye. Commissioner Pinkston was absent from the meeting. The motion carried 18-0-0-1.

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IN RE: APPROVAL OF MINUTES OF THE PREVIOUS

MEETING: (Book 18/Page 269)

Consideration of approval of minutes of the previous meeting was before the Board of Commissioners.

Commissioner Horner moved to approve the minutes of the previous meeting. Commissioner Mills seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Arms, Leuthold, Griess, Cawood, Stephens,

Horner, Moore, McMillan, Mills and Clark voted aye. Commissioner Pinkston was absent from the meeting. The motion carried 18-0-0-1.

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IN RE: RESOLUTIONS:

IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, MEMORIALIZING LOUIE BROOKS HEGIDIO – R-04-1-103: (Book 18/Page 269)

Consideration of a resolution of the Commission of Knox County, Tennessee, memorializing Louie Brooks Hegidio was before the Board of Commissioners.

Commissioner Horner moved to approve Resolution R-04-1-103 - Resolution of the Commission of Knox County, Tennessee, memorializing Louie Brooks Hegidio. Commissioner Griess seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Arms, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills and Clark voted aye. Commissioner Pinkston was absent from the meeting. The motion carried 18-0-0-1.

Ms. Nancy Hegidio Reeves, daughter, and family members, were present to accept the resolution and expressed appreciation to the commission for the resolution.

Commissioner Collins requested everyone to stand for a moment of silence for the memory of Louie Brooks Hegidio.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE
COMMISSION OF KNOX COUNTY, TENNESSEE, MEMORIALIZING
LARRY FLEMING – R-04-1-104: (Book 18/Page 270)

Consideration of a resolution of the Commission of Knox County, Tennessee, memorializing Larry Fleming was before the Board of Commissioners.

Commissioner Guthe moved to approve Resolution R-04-1-104 Resolution of the Commission of Knox County, Tennessee, memorializing Larry Fleming. Commissioner Griess seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Arms, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills and Clark voted aye. Commissioner Pinkston was absent from the meeting. The motion carried 18-0-0-1.

Mrs. Larry Fleming, spouse, and family members, were present to accept the resolution and expressed appreciation to the commission for the resolution.

Mr. Mike Ragsdale, Knox County Mayor, and Ms. Mintha Roach, KUB, were present and spoke on the matter.

Commissioner Collins requested everyone to stand for a moment of silence for the memory of Larry Fleming.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE
COMMISSION OF KNOX COUNTY, TENNESSEE, MEMORIALIZING
MAHALIA KEITH – R-04-1-105: (Book 18/Page 271)

Consideration of a resolution of the Commission of Knox County, Tennessee, memorializing Mahalia Keith was before the Board of Commissioners.

Commissioner Guthe moved to approve Resolution R-04-1-105 Resolution of the Commission of Knox County, Tennessee, memorializing Mahalia Keith. Commissioner Jordan seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Arms, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills and Clark voted aye. Commissioner Pinkston was absent from the meeting. The motion carried 18-0-0-1.

Mrs. Kim Ellis, Minutes Clerk to the Knox County Clerk, read the resolution into the record.

Mrs. Gina Hyatt, daughter, and family members, were present to accept the resolution and expressed appreciation to the commission for the resolution.

Mr. Mike Padgett, Knox County Clerk, was present and spoke on the matter.

Commissioner Collins requested everyone to stand for a moment of silence for the memory of Mahalia Keith.

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IN RE: AMENDMENTS TO THE AGENDA – (CONTINUED):
(Book 18/Page 272)

9. Commissioner Collins amended the agenda to hear the following item at this time: Resolution R-04-1-907 - Consideration of a resolution of the Commission of Knox County, Tennessee, renaming the Bonny Kate Library the Howard E. Pinkston Library.

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**IN RE: CONSIDERATION OF A RESOLUTION OF THE
COMMISSION OF KNOX COUNTY, TENNESSEE, RENAMING THE
BONNY KATE LIBRARY THE HOWARD E. PINKSTON LIBRARY –
R-04-1-907: (Book 18/Page 272)**

Consideration of a resolution of the Commission of Knox County, Tennessee, renaming the Bonny Kate Library the Howard E. Pinkston Library was before the Board of Commissioners.

Mrs. Martha Beeler, Administrative Assistant to the Knox County Clerk, read the resolution into the record.

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

Commissioner Clark moved to approve Resolution R-04-1-907 Resolution of the Commission of Knox County, Tennessee, renaming the Bonny Kate Library the Howard E. Pinkston Library. All Commissioners seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Arms, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills and Clark voted aye. Commissioner Pinkston was absent from the meeting. The motion carried 18-0-0-1.

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**IN RE: CONSIDERATION OF A RESOLUTION OF THE
COMMISSION OF KNOX COUNTY, TENNESSEE, URGING ALL
AMERICAN CITIZENS TO PROCLAIM TO EVERY LEVEL OF
GOVERNMENT ITS RESPONSIBILITY TO PUBLICLY RECOGNIZE
GOD AS THE FOUNDATION OF OUR NATIONAL HERITAGE –**

R-04-1-909: (Book 18/Page 273)

Consideration of a resolution of the Commission of Knox County, Tennessee, urging all American citizens to proclaim to every level of Government its responsibility to publicly recognize God As the Foundation Of Our National Heritage was before the Board of Commissioners.

Mr. Mike Moyers, Knox County Law Director, was present and spoke on the matter.

Commissioner Jordan moved to defer for one year Resolution R-04-1-909 - Resolution of the Commission of Knox County, Tennessee, urging all American citizens to proclaim to every level of Government its responsibility to publicly recognize God As the Foundation Of Our National Heritage. Commissioner Guthe seconded the motion.

Commissioner Harmon moved as a substitute motion to approve Resolution R-04-1-909 - Resolution of the Commission of Knox County, Tennessee, urging all American citizens to proclaim to every level of Government its responsibility to publicly recognize God As the Foundation Of Our National Heritage with the following amendment: On Page 2 of the resolution, amend paragraph 2 to read as follows: WHEREAS, there is now a growing demand by some within the Judicial System to remove all visible recognitions of God from public institutions. The motion was seconded and upon roll call vote Commissioners Harmon, Leuthold, Cawood, Stephens, Moore, McMillan, Mills and Clark voted aye. Commissioners Jordan, Strickland, Collins, Guthe, Schmid and Arms voted no. Commissioners Tindell, Moody, Griess and Horner abstained from

voting. Commissioner Pinkston was absent from the meeting. The substitute motion failed 8-6-4-1.

Upon roll call vote of the original motion to defer for one year Resolution R-04-1-909 - Resolution of the Commission of Knox County, Tennessee, urging all American citizens to proclaim to every level of Government its responsibility to publicly recognize God As the Foundation Of Our National Heritage, Commissioners Jordan, Strickland, Collins, Tindell, Moody, Guthe, Schmid, Arms, Griess and Horner voted aye. Commissioners Harmon, Cawood, Stephens, Moore, McMillan, Mills and Clark voted no. Commissioner Leuthold abstained from voting. Commissioner Pinkston was absent from the meeting. The motion carried 10-7-1-1.

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IN RE: ELECTIONS AND APPOINTMENTS: (Book 18/Page 274-276)

IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, APPROVING THE APPOINTMENT OF A CHARTER REVIEW COMMITTEE – R-04-1-110: (Book 18/Page 274)

Consideration of a resolution of the Commission of Knox County, Tennessee, approving the appointment of a Charter Review Committee was before the Board of Commissioners.

Commissioner Guthe moved to approve Resolution R-04-1-110 Resolution of the Commission of Knox County, Tennessee, approving the appointment of a Charter Review Committee. Commissioner Horner

seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Arms, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills and Clark voted aye. Commissioner Pinkston was absent from the meeting. The motion carried 18-0-0-1.

The following individuals were appointed: District 1 - Diane Jordan and Shelia Walton; District 2 - Billy Tindell and Steve Diggs; District 3 - Ivan Harmon and Gay Lyons; District 4 - Phil Guthe and Bud Gilbert; District 5 - John Griess and Brad Maynard; District 6 - Mark Cawood and Margaret Massey Cox; District 7 - Scott Moore and Fred Parker; District 8 - John Mills and John Valliant; District 9 - Howard Pinkston and Phyllis Rollins; and At Large - Susan Williams.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE
COMMISSION OF KNOX COUNTY, TENNESSEE, RE-APPOINTING
COMMISSIONER DIANE JORDAN, LAFAYETTE WILLIAMS AND
TAHEREH NAJMI TO THE AGRICULTURAL EXTENSION
COMMITTEE – R-04-1-111: (Book 18/Page 275)

Consideration of a resolution of the Commission of Knox County, Tennessee, re-appointing Commissioner Diane Jordan, Lafayette Williams and Tahereh Najmi to the Agricultural Extension Committee was before the Board of Commissioners.

Commissioner Guthe moved to approve Resolution R-04-1-111 Resolution of the Commission of Knox County, Tennessee, re-appointing Commissioner Diane Jordan, Lafayette Williams and Tahereh Najmi to the Agricultural Extension Committee. Commissioner Horner seconded the

motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Arms, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills and Clark voted aye.

Commissioner Pinkston was absent from the meeting. The motion carried 18-0-0-1.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, APPOINTING HARRY CALL TO THE INDUSTRIAL DEVELOPMENT BOARD – R-04-1-112: (Book 18/Page 276)

Consideration of a resolution of the Commission of Knox County, Tennessee, appointing Harry Call to the Industrial Development Board was before the Board of Commissioners.

Commissioner Guthe moved to approve Resolution R-04-1-112 Resolution of the Commission of Knox County, Tennessee, appointing Harry Call to the Industrial Development Board. Commissioner Horner seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Arms, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills and Clark voted aye. Commissioner Pinkston was absent from the meeting. The motion carried 18-0-0-1.

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IN RE: DRIVES AND ROADS: (Book 18/Page 277)

IN RE: CONSIDERATION OF CLOSURE OF PORTION OF GAMBLE ROAD. PROPERTY LOCATED OFF OF ELKINS ROAD,

NORTHEAST OF I-75. RINKER MATERIALS, PROPERTY OWNER.

(FIRST READING): (Book 18/Page 277)

Consideration of closure of portion of Gamble Road was before the Board of Commissioners on first reading. Property located off of Elkins Road, northeast of I-75. Rinker Materials, property owner.

Commissioner Guthe moved to approve the closure of portion of Gamble Road on first reading. Commissioner Mills seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Arms, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills and Clark voted aye.

Commissioner Pinkston was absent from the meeting. The motion carried 18-0-0-1. Property located off of Elkins Road, northeast of I-75. Rinker Materials, property owner.

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IN RE: RESOLUTIONS

IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, APPROPRIATING \$100,000.00 FOR LAND ACQUISITION COSTS AND APPROVING A CONTRACT FOR PURCHASE OF PROPERTY AT 420 SOUTH HEMBREE STREET – R-04-1-201: (Book 18/Page 277 & 278)

Consideration of a resolution of the Commission of Knox County, Tennessee, appropriating \$100,000.00 for land acquisition costs and approving a contract for purchase of property at 420 South Hembree Street was before the Board of Commissioners.

Commissioner Strickland moved to approve Resolution

R-04-1-201 - Resolution of the Commission of Knox County, Tennessee, appropriating \$100,000.00 for land acquisition costs and approving a contract for purchase of property at 420 South Hembree Street.

Commissioner Jordan seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Arms, Leuthold, Cawood, Stephens, Horner, Moore, McMillan, Mills and Clark voted aye. Commissioner Griess vote no. Commissioner Pinkston was absent from the meeting. The motion carried 17-1-0-1.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE
COMMISSION OF KNOX COUNTY, TENNESSEE, APPROVING THE
2004 HIDTA GRANT AGREEMENTS – R-04-1-304: (Book 18/Page 278)

Consideration of a resolution of the Commission of Knox County, Tennessee, approving the 2004 HIDTA Grant Agreements was before the Board of Commissioners.

Mr. Mike Moyers, Knox County Law Director, and Mr. Mike Ragsdale, Knox County Mayor, were present and spoke on the matter.

Commissioner Leuthold moved to approve Resolution R-04-1-304 - Resolution of the Commission of Knox County, Tennessee, approving the 2004 HIDTA Grant Agreements. Commissioner Tindell seconded the motion.

This item was deferred until later on the day's agenda.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE
COMMISSION OF KNOX COUNTY, TENNESSEE, APPROPRIATING
\$4,561,941.00 AND APPROVING A CONTRACT WITH LAWSON
SOFTWARE, INC. FOR AN ENTERPRISE RESOURCE PLANNING
SYSTEM – R-04-1-801: (Book 18/Page 279)

Consideration of a resolution of the Commission of Knox County, Tennessee, appropriating \$4,561,941.00 and approving a contract with Lawson Software, Inc. for an Enterprise Resource Planning System was before the Board of Commissioners.

Mr. Dick Moran, Senior Director for Information Technology, Mr. John Werner, Knox County Finance Director, Mr. Mike Ragsdale, Knox County Mayor, Mr. Dave Ball, Assistant Director for Information Technology, and Mr. Mike Moyers, Knox County Law Director, were present and spoke on the matter.

Commissioner Griess moved to approve Resolution R-04-1-801 Resolution of the Commission of Knox County, Tennessee, appropriating \$4,561,941.00 and approving a contract with Lawson Software, Inc. for an Enterprise Resource Planning System. Commissioner Horner seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Arms, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills and Clark voted aye. Commissioner Pinkston was absent from the meeting. The motion carried 18-0-0-1.

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

2004 HIDTA GRANT AGREEMENTS – R-04-1-304 – (CONTINUED):

(Book 18/Page 280)

Mr. Dwight VanDeVate, Knox County Sheriff's Department, and Mr. Mike Moyers, Knox County Law Director, were present and spoke on the matter.

Commissioner Leuthold moved to approve Resolution R-04-1-304 - Resolution of the Commission of Knox County, Tennessee, approving the 2004 HIDTA Grant Agreements. Commissioner Tindell seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Arms, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills and Clark voted aye. Commissioner Pinkston was absent from the meeting. The motion carried 18-0-0-1.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE
COMMISSION OF KNOX COUNTY, TENNESSEE, AMENDING THE
KNOX COUNTY MATERNITY LEAVE POLICY BY ELIMINATING
DISCRIMINATORY LANGUAGE – R-04-1-901: (Book 18/Page 280)

Consideration of a resolution of the Commission of Knox County, Tennessee, amending the Knox County Maternity Leave Policy by eliminating discriminatory language was before the Board of Commissioners.

Commissioner Mills moved to withdraw from the agenda Resolution R-04-1-901 - Resolution of the Commission of Knox County, Tennessee, amending the Knox County Maternity Leave Policy by eliminating discriminatory language due to the resolution being combined

with Ordinance O-04-1-101. Commissioner Horner seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Arms, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills and Clark voted aye. Commissioner Pinkston was absent from the meeting. The motion carried 18-0-0-1.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE
COMMISSION OF KNOX COUNTY, TENNESSEE, APPROVING THE
KNOX COUNTY COMMISSION OFFICE PERSONNEL POLICY –
R-04-1-905: (Book 18/Page 281)

Consideration of a resolution of the Commission of Knox County, Tennessee, approving the Knox County Commission Office Personnel Policy was before the Board of Commissioners.

Commissioner Mills moved to approve Resolution R-04-1-905 Resolution of the Commission of Knox County, Tennessee, approving the revised Knox County Commission Office Personnel Policy. Commissioner Arms seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Arms, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills and Clark voted aye. Commissioner Pinkston was absent from the meeting. The motion carried 18-0-0-1.

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

THE PASSAGE OF LEGISLATION TO APPLY CURRENT LIFE

SAFETY CODES TO ALL ASSISTED LIVING FACILITIES –

R-04-1-908: (Book 18/Page 282)

Consideration of a resolution of the Commission of Knox County, Tennessee, supporting the passage of legislation to apply current life safety codes to all assisted living facilities was before the Board of Commissioners.

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

Commissioner Leuthold moved to approve Resolution R-04-1-908 - Resolution of the Commission of Knox County, Tennessee, supporting the passage of legislation to apply current life safety codes to all assisted living facilities with the following amendment: add the following language: BE IT FURTHER RESOLVED, that the Commission of Knox County urges the State of Tennessee to assist with the funding of the retrofitting of these facilities. Commissioner Moody seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Schmid, Arms, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills and Clark voted aye. Commissioner Guthe abstained from voting. Commissioner Pinkston was absent from the meeting. The motion carried 17-0-1-1.

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IN RE: ORDINANCE ON FIRST READING: (Book 18/Page 283)

IN RE: CONSIDERATION OF AN ORDINANCE OF THE
COMMISSION OF KNOX COUNTY, TENNESSEE, AMENDING THE

**KNOX COUNTY PERSONNEL ORDINANCE RELATIVE TO
MATERNITY LEAVE AND SMOKING POLICIES – O-04-1-101 –
(FIRST READING): (Book 18/Page 283)**

Consideration of an Ordinance of the Commission of Knox County, Tennessee, amending the Knox County Personnel Ordinance relative to maternity leave and smoking policies was before the Board of Commissioners on first reading.

Mr. Mike Ragsdale, Knox County Mayor, and Mr. Mike Moyers, Knox County Law Director, were present and spoke on the matter.

Commissioner Guthe moved to approve Ordinance O-04-1-101 Ordinance of the Commission of Knox County, Tennessee, amending the Knox County Personnel Ordinance relative to maternity leave and smoking policies on first reading. Commissioner Griess seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Arms, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills and Clark voted aye. Commissioner Pinkston was absent from the meeting. The motion carried 18-0-0-1.

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IN RE: PUBLIC FORUM: (Book 18/Page 284)

1. Mr. Darryl Thaden, concerned citizen, was present and spoke concerning Patriot Acts I and II.
2. Mr. Jim Golden, concerned citizen, was present and spoke concerning the commission trying to prevent a citizen from speaking out

against corruption in the District Attorney's involvement of trying to frighten a victim from prosecuting an individual by telling him the individual was in the mafia.

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IN RE: ROLL CALL - (6:00 P.M.): (Book 18/Page 284)

Mrs. Kim Ellis, Minutes Clerk to the Knox County Clerk, called the roll. Those Commissioners responding Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills and Clark. Commissioner Arms arrived later in the meeting. Commissioner Pinkston was absent from the meeting.

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IN RE: ZONING REQUESTS: (Book 18/Page 284-287)

1. Consideration of the request of the Metropolitan Planning Commission for update of the Northwest City Sector Plan was before the Board of Commissioners. ***(Book 18/Page 284)***

Mr. Ewing "Buzz" Johnson, Director of Development Services for Metropolitan Planning Commission, was present and spoke on the matter.

Commissioner Mills moved to approve zoning request 12-C-03-SP - Request of the Metropolitan Planning Commission for update of the Northwest City Sector Plan. Commissioner Horner seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Leuthold, Griess, Cawood,

Stephens, Horner, Moore, McMillan, Mills and Clark voted aye.

Commissioner Arms arrived later in the meeting. Commissioner Pinkston was absent from the meeting. The motion carried 17-0-0-2.

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2. Consideration of the request of John and Rhonda Dunn for rezoning from A Agricultural Zone to RA Low Density Residential Zone was before the Board of Commissioners. Property located on the southeast side of Karnes Drive, southeast of Lett Road. Eighth Commission District. *(Book 18/Page 285)*

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

Commissioner Mills moved to approve zoning request 12-A-03-RZ – Request of John and Rhonda Dunn for rezoning from A Agricultural Zone to RA Low Density Residential Zone as per MPC’s recommendation. Commissioner McMillan seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Arms, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills and Clark voted aye. Commissioner Pinkston was absent from the meeting. The motion carried 18-0-0-1. Property located on the southeast side of Karnes Drive, southeast of Lett Road. Eighth Commission District.

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3. Consideration of the request of Disney Joint Venture for rezoning from A Agricultural Zone to PR Planned Residential Zone was before the Board of Commissioners. Property located on the northwest side

of McCloud Road, southwest of Gray Road. Seventh Commission District.

(Book 18/Page 286)

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

Commissioner Horner moved to approve zoning request 12-C-03-RZ – Request of Disney Joint Venture for rezoning from A Agricultural Zone to PR Planned Residential Zone at 1 to 5 dwelling units per acre as per MPC’s staff recommendation. Commissioner Moore seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Arms, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills and Clark voted aye. Commissioner Pinkston was absent from the meeting. The motion carried 18-0-0-1. Property located on the northwest side of McCloud Road, southwest of Gray Road. Seventh Commission District.

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4. Consideration of the request of Our Father’s House for rezoning from SC Shopping Center Zone to OB Office, Medical and Related Services Zone was before the Board of Commissioners. Property located on the southeast side of Maryville Pike, north side of Apache Trail. Ninth Commission District. *(Book 18/Page 286 & 287)*

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

Commissioner Clark moved to approve zoning request

12-E-03-RZ – Request of Our Father’s House for rezoning from SC Shopping Center Zone to OB Office, Medical and Related Services Zone as per MPC’s recommendation. Commissioner Horner seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Arms, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills and Clark voted aye. Commissioner Pinkston was absent from the meeting. The motion carried 18-0-0-1. Property located on the southeast side of Maryville Pike, north side of Apache Trail. Ninth Commission District.

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5. Consideration of the request of Lynn M. Rhea for rezoning from A Agricultural Zone to CA General Business Zone was before the Board of Commissioners. Property located on the north side of Kingston Pike, east of Lovell Road. Fifth Commission District. *(Book 18/Page 287)*

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

Commissioner Griess moved to approve zoning request 12-H-03-RZ – Request of Lynn M. Rhea for rezoning from A Agricultural Zone to CA General Business Zone as per MPC’s recommendation. Commissioner Leuthold seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Arms, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills and Clark voted aye. Commissioner Pinkston was absent from the meeting. The motion carried 18-0-0-1. Property located on the north side of Kingston Pike, east of Lovell Road. Fifth Commission District.

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

(Book 18/Page 288)

10. Commissioner Collins amended the agenda to hear the following item at this time: Rezoning Appeal by Eagle Bend Realty of TTCDA’s denial of certificate of appropriateness for rezoning change from A Agricultural/TO Technology Overlay Zone to PR Planned Residential/TO Technology Overlay Zone.

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IN RE: REZONING APPEAL: (Book 18/Page 288)

1. Consideration of the rezoning appeal by Eagle Bend Realty of TTCDA’s denial of certificate of appropriateness for rezoning change from A Agricultural/TO Technology Overlay Zone to PR Planned Residential/TO Technology Overlay Zone was before the Board of Commissioners. Property located on the southwest side of Thompson Road northeast of Schaeffer Road. Sixth Commission District. ***(Book 18/Page 288)***

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

Commissioner Cawood moved to approve rezoning appeal 03.033.0 – Rezoning Appeal by Eagle Bend Realty of TTCDA’s denial of certificate of appropriateness for rezoning change from A Agricultural/TO Technology Overlay Zone to PR Planned Residential/TO Technology Overlay Zone. Commissioner Stephens seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Arms, Leuthold, Griess, Cawood, Stephens,

Horner, Moore, McMillan, Mills and Clark voted aye. Commissioner

Pinkston was absent from the meeting. The motion carried 18-0-0-1.

Property located on the southwest side of Thompson Road northeast of Schaeffer Road. Sixth Commission District.

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IN RE: REZONING REQUESTS – (CONTINUED): (Book 18/Page 289-291)

6. Consideration of the request of Eagle Bend Realty for rezoning from A Agricultural/TO Technology Overlay Zone to PR Planned Residential/TO Technology Overlay Zone was before the Board of Commissioners. Property located on the southwest side of Thompson Road, northeast of Schaeffer Road. Sixth Commission District. ***(Book 18/Page 289)***

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

Commissioner Cawood moved to approve zoning request 12-J-03-RZ – Request of Eagle Bend Realty for rezoning from A Agricultural/TO Technology Overlay Zone to PR Planned Residential/TO Technology Overlay Zone at a density of 1 to 3 dwelling units per acre as per MPC’s recommendation. Commissioner Stephens seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Arms, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills and Clark voted aye.

Commissioner Pinkston was absent from the meeting. The motion carried 18-0-0-1. Property located on the southwest side of Thompson Road, northeast of Schaeffer Road. Sixth Commission District.

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7. Consideration of the request of Holrob Investments for rezoning from RA Low Density Residential and A Agricultural Zone to PR Planned Residential Zone was before the Board of Commissioners. Property located on the northeast side of Fox Road, southeast of Kingston Pike. Fifth Commission District. *(Book 18/Page 290)*

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

Commissioner Leuthold moved to approve zoning request 12-K-03-RZ – Request of Holrob Investments for rezoning from RA Low Density Residential and A Agricultural Zone to PR Planned Residential Zone at a density of 1 to 3 dwelling units per acre as per MPC’s recommendation. Commissioner Arms seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Arms, Leuthold, Cawood, Stephens, Horner, Moore, McMillan, Mills and Clark voted aye. Commissioner Griess recused himself from the vote. Commissioner Pinkston was absent from the meeting. The motion carried 17-0-1-1. Property located on the northeast side of Fox Road, southeast of Kingston Pike. Fifth Commission District.

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8. Consideration of the request of Willard Scarbo Family, LP for rezoning from RB General Residential Zone to CA General Business Zone was before the Board of Commissioners. Property located on the northeast side of Central Avenue Pike, northwest of Dante Road. Seventh Commission District. *(Book 18/Page 290)*

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

Commissioner Stephens moved to approve zoning request 12-L-03-RZ – Request of Willard Scarbo Family, LP for rezoning from RB General Residential Zone to CA General Business Zone as per MPC’s recommendation. Commissioner Horner seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Arms, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills and Clark voted aye. Commissioner Pinkston was absent from the meeting. The motion carried 18-0-0-1. Property located on the northeast side of Central Avenue Pike, northwest of Dante Road. Seventh Commission District.

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9. Consideration of the request of Huber Properties, LLC for rezoning from A Agricultural zone to PR Planned Residential Zone was before the Board of Commissioners. Property located on the northeast side of Sands Road, northeast of Bakertown Road. Third Commission District.
(Book 18/Page 291)

Mr. Ewing “Buzz” Johnson, Director of Development Services for Metropolitan Planning Commission, and Mr. Dave Hill, Executive Director for Metropolitan Planning Commission, were present and spoke on the matter.

Mr. John Huber, petitioner, was present and spoke on behalf of the request.

Mr. Doug Sexton, area resident, was present and spoke in opposition to the request.

Mr. Mike Moyers, Knox County Law Director, was present and spoke on the matter.

Commissioner Moody moved to approve zoning request 12-M-03-RZ – Request of Huber Properties, LLC for rezoning from A Agricultural Zone to PR Planned Residential Zone at 1 to 4 dwelling units per acre with the amendment that improvements be made to the intersection of Bakertown Road and Sands Road; and the widening of Sands Roads using the county’s right-of-way. Commissioner Jordan seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Arms, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills and Clark voted aye. Commissioner Pinkston was absent from the meeting. The motion carried 18-0-0-1. Property located on the northeast side of Sands Road, northeast of Bakertown Road. Third Commission District.

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IN RE: REZONING APPEALS: (Book 18/Page 292-294)

1. Consideration of the rezoning appeal by Fuad Reveiz of MPC’s denial of Sector Plan Amendment from LI Light Industrial Zone to LDR Low Density Residential Zone was before the Board of Commissioners. Property located on the northeast side of Reagan Drive, southeast side of Coward Mill Road. Sixth Commission District. (**Book 18/Page 292**)

Mr. Fuad Reveiz, appellant, was present and spoke on behalf of the appeal.

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

Mr. Ewing “Buzz” Johnson, Director of Development Services for Metropolitan Planning Commission, and Mr. Dave Hill, Executive Director for Metropolitan Planning Commission, were present and spoke on the matter.

Commissioner Cawood moved to approve rezoning appeal 12-A-03-SP – Rezoning appeal by Fuad Reveiz of MPC’s denial of Sector Plan Amendment from LI Light Industrial Zone to LDR Low Density Residential Zone. Commissioner Stephens seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Arms, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills and Clark voted aye. Commissioner Pinkston was absent from the meeting. The motion carried 18-0-0-1. Property located on the northeast side of Reagan Drive, southeast side of Coward Mill Road. Sixth Commission District.

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2. Consideration of the rezoning appeal by Fuad Reveiz of MPC’s denial of rezoning from A Agricultural Zone to PR Planned Residential Zone was before the Board of Commissioners. Property located on the northeast side of Reagan Drive, southeast side of Coward Mill Road. Sixth Commission District. (*Book 18/Page 293*)

Mr. Fuad Reveiz, appellant, was present and spoke on behalf of the appeal.

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

Mr. Ewing “Buzz” Johnson, Director of Development Services for Metropolitan Planning Commission, and Mr. Dave Hill, Executive Director for Metropolitan Planning Commission, were present and spoke on the matter.

Commissioner Cawood moved to approve rezoning appeal 12-I-03-RZ – Rezoning appeal by Fuad Reveiz of MPC’s denial of rezoning from A Agricultural Zone to PR Planned Residential Zone. Commissioner Stephens seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Arms, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills and Clark voted aye. Commissioner Pinkston was absent from the meeting. The motion carried 18-0-0-1. Property located on the northeast side of Reagan Drive, southeast side of Coward Mill Road. Sixth Commission District.

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3. Consideration of the rezoning appeal by Eagle Bend Realty of TTCDA’s denial of certificate of appropriateness for rezoning change from A Agricultural/TO Technology Overlay Zone to PR Planned Residential/TO Technology Overlay Zone was before the Board of Commissioners. (*Book 18/Page 294*)

This item was heard earlier on the day’s agenda. (See Page _____)

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IN RE: **AMENDMENTS TO THE KNOX COUNTY ZONING**
ORDINANCE: (*Book 18/Page 294*)

IN RE: CONSIDERATION OF AN ORDINANCE OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, AMENDING THE KNOX COUNTY ZONING ORDINANCE CREATING STANDARD TERMINOLOGY FOR THE KNOX COUNTY BOARD OF ZONING APPEALS – O-04-1-102 – (FIRST READING): (Book 18/Page 294)

Consideration of an Ordinance of the Commission of Knox County, Tennessee, amending the Knox County Zoning Ordinance creating standard terminology for the Knox County Board of Zoning Appeals was before the Board of Commissioners on first reading.

Commissioner Guthe moved to approve Ordinance O-04-1-102 Ordinance of the Commission of Knox County, Tennessee, amending the Knox County Zoning Ordinance creating standard terminology for the Knox County Board of Zoning Appeals on first reading. Commissioner Leuthold seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Arms, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills and Clark voted aye. Commissioner Pinkston was absent from the meeting. The motion carried 18-0-0-1.

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IN RE: ROLL CALL BY DISTRICTS: (Book 18/Page 295)

Commissioner Collins dispensed with roll call by districts and called for adjournment.

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IN RE: ADJOURNMENT: (Book 18/Page 295)

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

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KNOX COUNTY BOARD OF COMMISSIONERS

DAVID COLLINS, CHAIRMAN

KNOX COUNTY BOARD OF COMMISSIONERS

The Knox County Board of Commissioners met in Regular Session on Monday, February 23, 2004 at 2:00 p.m. in the Main Assembly Room of the City-County Building, Main Avenue. Those members present were Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Arms, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills and Clark. Also present were Mr. Mike Moyers, Knox County Law Director, Mr. Mike Ragsdale, Knox County Mayor, and News Media.

Commissioner Collins, Chairman, presided.

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

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IN RE: ROLL CALL:

Mrs. Martha Beeler, Administrative Assistant, to Knox County Clerk, Mike Padgett called the roll.

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IN RE: AMENDMENT TO THE AGENDA:

Commissioner Collins requested everyone to stand for a moment of silence for the memory of Commissioner Howard Pinkston who passed away on February 14, 2004.

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IN RE: DEVOTIONAL:

“Rabbi Joe” Mendelsohn of the Heska Amuna Synagogue gave the devotional.

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IN RE: PLEDGE OF ALLEGIANCE TO THE FLAG:

Commissioner Stephens led the Pledge of Allegiance to the Flag.

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IN RE: AMENDMENTS TO THE AGENDA:

1. Commissioner Guthe asked Mayor Ragsdale to speak on the County's Impound Lot.

Mr. Dwight Van de Vate, Knox County Sheriff's Department, was present and spoke on the matter.

Mr. Jack Barnes, City, was present and spoke on the City's Impound Lot.

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Without objection, Commissioner Collins amended the agenda as follows:

2. Add R-04-2-106 – Resolution supporting and encouraging Technology 2020 in its efforts to expand its technology-business development model.

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3. Add R-04-2-112 – Resolution approving the appointment of Jim Clayton as a member of the Development Corporation Board.

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4. Without objection, Commissioner Collins moved to Defer to the March Board of Commissioners meeting R-04-2-902 – Resolution requesting a change by MPC in the residential density definitions used on sector plans.

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5. Add request to change from the Veterans Nursing Home to Senator Ben Atchley Veterans Home.

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Without objection, Commissioner Collins amended the agenda as follows:

6. Defer R-04-2-101 – Resolution honoring Sarah Simpson upon her retirement.

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7. Remove from the consent agenda and add to the regular agenda R-04-2-102 – Resolution memorializing Archie F. Weaver.

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8. Remove from the consent agenda and add to the regular agenda R-04-2-103 – Resolution honoring Melvenia G. Smith.

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9. Remove from the consent agenda and add to the regular agenda R-04-2-104 – Resolution memorializing Robert Frost.

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10. Remove from the consent agenda and add to the regular agenda R-04-2-105 – Resolution proclaiming February 24, 2004 as “Spay Day USA” in Knox County.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE MEMORIALIZING ARCHIE F. WEAVER: R-04-2-102:

Consideration of a Resolution of the Commission of Knox County, Tennessee memorializing Archie F. Weaver was before the Board of Commissioners.

Mr. Archie Weaver’s daughter was present and spoke on the matter.

Commissioner Horner moved to approve R-04-2-102 -
Consideration of a Resolution of the Commission of Knox County,
Tennessee memorializing Archie F. Weaver. Full Commission seconded the
motion and upon roll call vote Commissioners Jordan, Strickland, Collins,
Tindell, Moody, Harmon, Guthe, Schmid, Arms, Leuthold, Griess, Cawood,
Stephens, Horner, Moore, McMillan, Mills and Clark voted aye. The
motion carried 18-0-0-0.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE
COMMISSION OF KNOX COUNTY, TENNESSEE HONORING
MELVENIA G. SMITH: R-04-2-103:)

Consideration of a Resolution of the Commission of Knox
County, Tennessee honoring Melvenia G. Smith was before the Board of
Commissioners.

Ms. Melvenia G. Smith, was present and spoke on the matter.

Commissioner Guthe moved to approve R-04-2-103 -
Consideration of a Resolution of the Commission of Knox County,
Tennessee honoring Melvenia G. Smith. The full Commission seconded the
motion and upon roll call vote Commissioners Jordan, Strickland, Collins,
Tindell, Moody, Harmon, Guthe, Schmid, Arms, Leuthold, Griess, Cawood,
Stephens, Horner, Moore, McMillan, Mills and Clark voted aye. The
motion carried 18-0-0-0.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE
COMMISSION OF KNOX COUNTY, TENNESSEE MEMORIALIZING
ROBERT FROST: R-04-2-104:

Consideration of a Resolution of the Commission of Knox County, Tennessee memorializing Robert Frost was before the Board of Commissioners.

Mr. Rob Frost, Son, was present and spoke on the matter.

Ms. Judy Frost, wife, was present and spoke on the matter.

Commissioner Collins moved to approve R-04-2-104 - Consideration of a Resolution of the Commission of Knox County, Tennessee memorializing Robert Frost. The full Commission seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Arms, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills and Clark voted aye. The motion carried 18-0-0-0.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE
COMMISSION OF KNOX COUNTY, TENNESSEE PROCLAIMING
FEBRUARY 24, 2004 AS “SPAY DAY USA” IN KNOX COUNTY:

R-04-2-105:

Consideration of a Resolution of the Commission of Knox County, Tennessee proclaiming February 24, 2004 as “Spay Day USA” in Knox County was before the Board of Commissioners.

Mr. Randy Keping, Director, Animal Shelter, was present and spoke on the matter.

Commissioner Guthe moved to approve R-04-2-105 - Consideration of a Resolution of the Commission of Knox County, Tennessee proclaiming February 24, 2004 as “Spay Day USA” in Knox County. Commissioner Harmon seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon,

Guthe, Schmid, Arms, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills and Clark voted aye. The motion carried 18-0-0-0.

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IN RE: CONSENT ITEMS:

Tax Refunds:

No tax refunds received.

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Notary Public Applications: 215 names received.

Commissioner Guthe moved to approve Consent Items.

Commissioner Horner seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Arms, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills and Clark voted aye. The motion carried 18-0-0-0.

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IN RE: REPORT FROM MR. MIKE RAGSDALE, KNOX COUNTY

MAYOR:

Mr. Mike Ragsdale, Knox County Mayor, was present and stated on May 4, 2004 there would be a meeting regarding the budget. On Tuesday, February 24, there will be a luncheon in Nashville at 11:30 a.m. and a tour of the downtown Nashville Library. Tuesday evening in Nashville there will be a reception honoring Senator Ben Atchley. At this time he introduced Ms. Lynne Liddington, Director of Air Quality Control who spoke on air quality control.

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IN RE: EDUCATION CONSENT CALENDAR:
CONSIDERATION OF A RESOLUTION OF THE
COMMISSION OF KNOX COUNTY, TENNESSEE APPROVING AN E-

RATE CONTRACT WITH INTEGRATED NETWORKING

TECHNOLOGIES, LLC: R-04-2-203:

Consideration of a Resolution of the Commission of Knox County, Tennessee approving an E-Rate contract with Integrated Networking Technologies, LLC was before the Board of Commissioners.

There was a motion to approve R-04-2-203 - Consideration of a Resolution of the Commission of Knox County, Tennessee approving an E-Rate contract with Integrated Networking Technologies, LLC and the motion was seconded and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Arms, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills and Clark voted aye. The motion carried 18-0-0-0.

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IN RE: CONSENT CALENDAR:

IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE SUPPORTING AND ENCOURAGING TECHNOLOGY 2020 IN ITS EFFORTS TO EXPAND ITS TECHNOLOGY-BUSINESS DEVELOPMENT MODEL:R-04-2-106:

Consideration of a Resolution of the Commission of Knox County, Tennessee supporting and encouraging Technology 2020 in its efforts to expand its technology-business development model was before the Board of Commissioners.

Commissioner Mills moved to approve R-04-2-106 - Consideration of a Resolution of the Commission of Knox County, Tennessee supporting and encouraging Technology 2020 in its efforts to expand its technology-business development model. Commissioner Horner seconded the motion and upon roll call vote Commissioners Jordan,

Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Arms, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills and Clark voted aye. The motion carried 18-0-0-0.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE APPROPRIATING \$25,000.00 FOR DRAINAGE IMPROVEMENTS AT WEST HIGH SCHOOL: R-04-2-201:

Consideration of a Resolution of the Commission of Knox County, Tennessee appropriating \$25,000.00 for drainage improvements at West High School was before the Board of Commissioners.

Commissioner Mills moved to approve R-04-2-201 - Consideration of a Resolution of the Commission of Knox County, Tennessee appropriating \$25,000.00 for drainage improvements at West High School. Commissioner Horner seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Arms, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills and Clark voted aye. The motion carried 18-0-0-0.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE APPROVING A CONTRACT WITH BLACK CREEK INTEGRATED SYSTEMS CORPORATION FOR THE UPDATE OF ALL COMPUTERS AND SOFTWARE RELATED TO THEIR SYSTEM: R-04-2-301:

Consideration of a Resolution of the Commission of Knox County, Tennessee approving a contract with Black Creek Integrated

Systems Corporation for the update of all computers and software related to their system was before the Board of Commissioners.

Commissioner Mills moved to approve R-04-2-301 - Consideration of a Resolution of the Commission of Knox County, Tennessee approving a contract with Black Creek Integrated Systems Corporation for the update of all computers and software related to their system. Commissioner Horner seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Arms, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills and Clark voted aye. The motion carried 18-0-0-0.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE APPROPRIATING \$283,270.00 AND APPROVING AMENDMENT #1 TO GRANT GG-02-09793-00 WITH TEMA: R-04-2-401:

Consideration of a Resolution of the Commission of Knox County, Tennessee appropriating \$283,270.00 and approving Amendment #1 to Grant GG-02-09793-00 with TEMA was before the Board of Commissioners.

Commissioner Mills moved to approve R-04-2-401 - Consideration of a Resolution of the Commission of Knox County, Tennessee appropriating \$283,270.00 and approving Amendment #1 to Grant GG-02-09793-00 with TEMA. Commissioner Horner seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Arms, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills and Clark voted aye. The motion carried 18-0-0-0.

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**IN RE: CONSIDERATION OF A RESOLUTION OF THE
COMMISSION OF KNOX COUNTY, TENNESSEE APPROPRIATING
\$2,019,200.00 FOR RIGHT OF WAY ACQUISITIONS AND \$120,000.00
FOR APPRAISAL AND ACQUISITION SERVICES FOR PARKSIDE
DRIVE, PHASE II: R-04-2-402:**

Consideration of a Resolution of the Commission of Knox County, Tennessee appropriating \$2,019,200.00 for right of way acquisitions and \$120,000.00 for appraisal and acquisition services for Parkside Drive, Phase II was before the Board of Commissioners.

Commissioner Mills moved to approve R-04-2-402 - Consideration of a Resolution of the Commission of Knox County, Tennessee appropriating \$2,019,200.00 for right of way acquisitions and \$120,000.00 for appraisal and acquisition services for Parkside Drive, Phase II. Commissioner Horner seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Arms, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills and Clark voted aye. The motion carried 18-0-0-0.

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**IN RE: CONSIDERATION OF A RESOLUTION OF THE
COMMISSION OF KNOX COUNTY, TENNESSEE APPROVING THE
TRANSFER OF PROPERTIES ON OAKEN DRIVE TO THE KNOX
COUNTY BOARD OF EDUCATION: R-04-2-403:**

Consideration of a Resolution of the Commission of Knox County, Tennessee approving the transfer of properties on Oaken Drive to the Knox County Board of Education was before the Board of Commissioners.

Commissioner Mills moved to approve R-04-2-403 -
Consideration of a Resolution of the Commission of Knox County,
Tennessee approving the transfer of properties on Oaken Drive to the Knox
County Board of Education. Commissioner Horner seconded the motion
and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell,
Moody, Harmon, Guthe, Schmid, Arms, Leuthold, Griess, Cawood,
Stephens, Horner, Moore, McMillan, Mills and Clark voted aye. The
motion carried 18-0-0-0.

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**IN RE: CONSIDERATION OF A RESOLUTION OF THE
COMMISSION OF KNOX COUNTY, TENNESSEE APPROVING A
CONTRACT WITH APAC-TENNESSEE, INC. FOR HOT MIX
HAULING AND PLACEMENT SERVICES: R-04-2-404:**

Consideration of a Resolution of the Commission of Knox
County, Tennessee approving a contract with APAC-Tennessee, Inc. for hot
mix hauling and placement services was before the Board of
Commissioners.

Commissioner Mills moved to approve R-04-2-404 -
Consideration of a Resolution of the Commission of Knox County,
Tennessee approving a contract with APAC-Tennessee, Inc. for hot mix
hauling and placement services. Commissioner Horner seconded the motion
and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell,
Moody, Harmon, Guthe, Schmid, Arms, Leuthold, Griess, Cawood,
Stephens, Horner, Moore, McMillan, Mills and Clark voted aye. The
motion carried 18-0-0-0.

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**IN RE: CONSIDERATION OF A RESOLUTION OF THE
COMMISSION OF KNOX COUNTY, TENNESSEE APPROVING A
CONTRACT WITH RENFRO CONSTRUCTION COMPANY, INC. FOR
HOT MIX HAULING AND PLACEMENT SERVICE:R-04-2-405:**

Consideration of a Resolution of the Commission of Knox County, Tennessee approving a contract with RENFRO Construction Company, Inc. for hot mix hauling and placement service was before the Board of Commissioners.

Commissioner Mills moved to approve R-04-2-405 - Consideration of a Resolution of the Commission of Knox County, Tennessee approving a contract with RENFRO Construction Company, Inc. for hot mix hauling and placement service. Commissioner Horner seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Arms, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills and Clark voted aye. The motion carried 18-0-0-0.

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**IN RE: CONSIDERATION OF A RESOLUTION OF THE
COMMISSION OF KNOX COUNTY, TENNESSEE APPROVING A
GRANT AGREEMENT IN THE AMOUNT OF \$10,000.00 BETWEEN
THE STATE OF TENNESSEE DEPARTMENT OF HEALTH AND
KNOX COUNTY FOR THE PROVISION OF HEART DISEASE AND
STROKE PREVENTION: R-04-2-601:**

Consideration of a Resolution of the Commission of Knox County, Tennessee approving a grant agreement in the amount of \$10,000.00 between the State of Tennessee Department of Health and Knox

County for the provision of heart disease and stroke prevention was before the Board of Commissioners.

Commissioner Mills moved to approve R-04-2-601 -

Consideration of a Resolution of the Commission of Knox County, Tennessee approving a grant agreement in the amount of \$10,000.00 between the State of Tennessee Department of Health and Knox County for the provision of heart disease and stroke prevention.

Commissioner Horner seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Arms, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills and Clark voted aye. The motion carried 18-0-0-0.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE APPROVING A GRANT AGREEMENT IN THE AMOUNT OF \$117,000.00 BETWEEN THE STATE OF TENNESSEE DEPARTMENT OF HEALTH AND KNOX COUNTY FOR THE PROVISION OF HIV/AIDS PREVENTION AND SURVEILLANCE SERVICES: R-04-2-602:

Consideration of a Resolution of the Commission of Knox County, Tennessee approving a grant agreement in the amount of \$117,000.00 between the State of Tennessee Department of Health and Knox County for the provision of HIV/AIDS Prevention and Surveillance Services was before the Board of Commissioners.

Commissioner Mills moved to approve R-04-2-602 -

Consideration of a Resolution of the Commission of Knox County, Tennessee approving a grant agreement in the amount of \$117,000.00 between the State of Tennessee Department of Health and Knox County for

the provision of HIV/AIDS Prevention and Surveillance Services.

Commissioner Horner seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Arms, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills and Clark voted aye. The motion carried 18-0-0-0.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE APPROVING WAIVER DEED RESTRICTIONS TO PROPERTY LOCATED ON JOHN SEVIER HIGHWAY: R-04-2-901:

Consideration of a Resolution of the Commission of Knox County, Tennessee approving waiver deed restrictions to property located on John Sevier Highway was before the Board of Commissioners.

Commissioner Mills moved to approve R-04-2-901 - Consideration of a Resolution of the Commission of Knox County, Tennessee approving waiver deed restrictions to property located on John Sevier Highway. Commissioner Horner seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Arms, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills and Clark voted aye. The motion carried 18-0-0-0.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE APPROVING A LEASE BETWEEN KNOXVILLE CENTER, LLC AND THE KNOX COUNTY CLERK: R-04-2-903:

Consideration of a Resolution of the Commission of Knox County, Tennessee approving a lease between Knoxville Center, LLC and the Knox County Clerk was before the Board of Commissioners.

Commissioner Mills moved to approve R-04-2-903 - Consideration of a Resolution of the Commission of Knox County, Tennessee approving a lease between Knoxville Center, LLC and the Knox County Clerk. Commissioner Horner seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Arms, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills and Clark voted aye. The motion carried 18-0-0-0.

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

ROADS:

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

- A. Belmont Park Lane in the Belmont Park Subdivision.
(District 6)
- B. Ball Park Lane in the Glendale Estates Subdivision.
District 9)
- C. Bowers Park Circle in the Glendale Estates Subdivision.
(District 9)

Commissioner Mills moved to approve the above acceptance of new County Roads. Commissioner Horner seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Arms, Leuthold, Griess, Cawood, Stephens,

Horner, Moore, McMillan, Mills and Clark voted aye. The motion carried 18-0-0-0.

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

Consideration of approval of minutes of the previous meeting was before the Board of Commissioners.

Commissioner Horner moved to approve the minutes of the previous meeting. Commissioner Stephens seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Arms, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills and Clark voted aye. The motion carried 18-0-0-0.

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IN RE: ELECTIONS AND APPOINTMENTS:

IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE RE-APPOINTING MONTE BIGGS, MD, DIANNA C. DRAKE, PHARMD, JACK LACEY, MD, AND PATRICIA M. WILLIAMS, RN, MPH TO THE KNOX COUNTY BOARD OF HEALTH: R-04-2-110:

Consideration of a Resolution of the Commission of Knox County, Tennessee re-appointing Monte Biggs, MD, Dianna C. Drake, PharmD, Jack Lacey, MD, and Patricia M. Williams, RN, MPH to the Knox County Board of Health was before the Board of Commissioners.

Commissioner Guthe moved to approve R-04-2-110 - Consideration of a Resolution of the Commission of Knox County, Tennessee re-appointing Monte Biggs, MD, Dianna C. Drake, PharmD, Jack

Lacey, MD, and Patricia M. Williams, RN, MPH to the Knox County Board of Health. Commissioner Horner seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Arms, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills and Clark voted aye. The motion carried 18-0-0-0.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE RE-APPOINTING THREE MEMBERS AND AN ALTERNATE TO THE KNOX COUNTY BOARD OF EQUALIZATION: R-04-2-111:

Consideration of a Resolution of the Commission of Knox County, Tennessee re-appointing three members and an alternate to the Knox County Board of Equalization was before the Board of Commissioners.

Commissioner Guthe moved to approve R-04-2-111 - Consideration of a Resolution of the Commission of Knox County, Tennessee re-appointing three members and an alternate to the Knox County Board of Equalization. Commissioner Horner seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Arms, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills and Clark voted aye. The motion carried 18-0-0-0.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE APPROVING THE APPOINTMENT OF JIM CLAYTON AS A MEMBER OF THE DEVELOPMENT CORPORATION BOARD: R-04-2-112:

Consideration of a Resolution of the Commission of Knox County, Tennessee approving the appointment of Jim Clayton as a member of the Development Corporation Board was before the Board of Commissioners.

Commissioner Guthe moved to approve R-04-2-112 - Consideration of a Resolution of the Commission of Knox County, Tennessee approving the appointment of Jim Clayton as a member of the Development Corporation Board. Commissioner Griess seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Arms, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills and Clark voted aye. The motion carried 18-0-0-0.

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IN RE: DRIVES AND ROADS:

IN RE: Consideration of closure of portion of Gamble Road was before the Board of Commissioners on second reading. Property located off of Elkins Road, northeast of I-75. Property owners: Rinker Materials.

Commissioner Guthe moved to approve the closure of portion of Gamble Road on second reading. Property located off of Elkins Road, northeast of I-75. Property owners: Rinker Materials. Commissioner Horner seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Arms, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills and Clark voted aye. The motion carried 18-0-0-0.

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**IN RE: CONSIDERATION OF A RESOLUTION OF THE
COMMISSION OF KNOX COUNTY, TENNESSEE APPROPRIATING
\$955,000.00 FOR ADDITIONAL CLASSROOM SPACE: R-04-2-202:**

Consideration of a Resolution of the Commission of Knox County, Tennessee appropriating \$955,000.00 for additional classroom space was before the Board of Commissioners.

Mr. Mike Moyers, Knox County Law Director, was present and spoke on the matter.

Mr. Doug Whitted, Facilities Manager, Knox County Schools, was present and spoke on the matter.

Mr. Ron McPherson, Supervisor of Financial Services and Accounting, was present and spoke on the matter.

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

Commissioner Mills moved to approve R-04-2-202 - Consideration of a Resolution of the Commission of Knox County, Tennessee appropriating \$955,000.00 for additional classroom space. The motion was seconded.

Commissioner Guthe moved as a substitute motion to approve R-04-2-202 - Consideration of a Resolution of the Commission of Knox County, Tennessee appropriating \$955,000.00 for additional classroom space with the amendment of adding the following language: Appropriate from bond proceeds the amount of \$955,000.00. Commissioner Jordan seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Moody, Guthe, Arms, Leuthold, Griess, Cawood, Stephens, Horner, McMillan, Mills and Clark voted aye. Commissioners

Tindell, Harmon, Schmid and Moore voted no. The substitute motion carried 14-4-0-0.

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IN RE: ORDINANCES ON FIRST READING:

No Ordinances received on first reading.

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IN RE: ORDINANCES ON SECOND READING:

CONSIDERATION OF AN ORDINANCE OF THE

COMMISSION OF KNOX COUNTY, TENNESSEE AMENDING THE

KNOX COUNTY PERSONNEL ORDINANCE RELATIVE TO

MATERNITY LEAVE AND SMOKING POLICIES:O-04-1-101:

SECOND READING:

Consideration of an Ordinance of the Commission of Knox County, Tennessee amending the Knox County Personnel Ordinance relative to maternity leave and smoking policies was before the Board of Commissioners on second reading.

Commissioner Guthe moved to approve O-04-1-101 - Consideration of an Ordinance of the Commission of Knox County, Tennessee amending the Knox County Personnel Ordinance relative to maternity leave and smoking policies on second reading. Commissioner Mills seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Arms, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills and Clark voted aye. The motion carried 18-0-0-0.

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IN RE: PUBLIC FORUM:

1. Mr. Jack Thompson was present and spoke on taking his property for road frontage.

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2. Mr. Jim Golden was present and spoke on helping elderly people. He also spoke on freedom of speech.

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IN RE: ROLL CALL: REZONINGS 6:00 P.M.

Those responding were Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Arms, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills and Clark.

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1. Request of Knox County Emergency Services E-911 for a street name change from unnamed driveway to Leland Straw Way 1-A-04-SNC was before the Board of Commissioners. Property located between Little Creek Lane and Little Creek Lane. Fourth Commission District.

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

Mr. Buzz Johnson, Development Services Director for Metropolitan Planning Commission, was present and spoke on the matter.

Commissioner Guthe moved to approve 1-A-04-SNC - Request of Knox County Emergency Services E-911 for a street name change from unnamed drive to Leland Straw Way. Commissioner Schmid seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Arms, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills and Clark voted aye. The motion carried 18-0-0-0.

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2. Request of Charles Van Beke for a Southwest County Sector Plan Amendment for MDR (Medium Density Residential) to C (Commercial) 1-A-04-SP was before the Board of Commissioners. Property located on the northeast side of Concord Road, south of Loop Road. Fifth Commission District.

Mr. Charles Van Beke, representing owners of property, was present and spoke on behalf of the request.

Mr. Buzz Johnson, Development Services Director for Metropolitan Planning Commission, was present and spoke on the matter.

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

Commissioner Griess moved to approve 1-A-04-SP - Request of Charles Van Beke for a Southwest County Sector Plan Amendment for MDR (Medium Density Residential) to C (Commercial) as per Metropolitan Planning Commission's Recommendation: Approve (C) Commercial. Commissioner Horner seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Arms, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills and Clark voted aye. The motion carried 18-0-0-0.

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Request of Charles Van Beke for rezoning from A (Agricultural) to CA (General Business) 1-E-04-RZ was before the Board of Commissioners. Property located on the northeast side of Concord Road, south of Loop Road. Fifth Commission District.

Mr. Charles Van Beke, representing owners of property, was present and spoke on behalf of the request.

Mr. Buzz Johnson, Development Services Director for Metropolitan Planning Commission, was present and spoke on the matter.

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

There was no response.

Commissioner Griess moved to approve 1-E-04-RZ - Request of Charles Van Beke for rezoning from A (Agricultural) to CN (Neighborhood Commercial) as per Metropolitan Planning Commission's Recommendation: Approve CN (Neighborhood Commercial). Commissioner Horner seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Arms, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills and Clark voted aye. The motion carried 18-0-0-0.

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4. Request of Vance Burkey for rezoning from A (Agricultural) to PR (Planned Residential) 1-I-04-RZ was before the Board of Commissioners. Property located on the south side of Nubbin Ridge Road, east of Davis Lane. Fourth Commission District. (Book 18, Pg. 318)

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

There was no response.

Commissioner Guthe moved to approve 1-I-04-RZ - Request of Vance Burkey for rezoning from A (Agricultural) To PR (Planned Residential) as per Metropolitan Planning Commission's Recommendation: Approve PR (Planned Residential) at a density of 1 to 3.4 dwelling units per acre. Commissioner Schmid seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Arms, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills and Clark voted aye. The motion carried 18-0-0-0.

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5. Request of John Kerr Construction Concepts for rezoning from A (Agricultural) to PR (Planned Residential) and A (Agricultural)/HZ (Historic Overlay) and Design Guidelines 1-J-04-RZ was before the Board of Commissioners. Property located on the northwest side of Harvey Road, northeast of Amber Glades Lane. Fifth Commission District. (Book 18, Pg. 319)

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

Commissioner Griess moved to approve I-J-04-RZ - Request of John Kerr Construction Concepts for rezoning from A (Agricultural) to PR (Planned Residential) and A (Agricultural)/HZ (Historic Overlay) and Design Guidelines as per Metropolitan Planning Commission's Recommendation: Approve PR (Planned Residential) at a density of 1 to 2.5 dwelling units per acre, Approve A (Agricultural)/HZ (Historic Overlay) for 2 acres containing Boyd Harvey House and Design Guidelines. Commissioner Arms seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Arms, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills and Clark voted aye. The motion carried 18-0-0-0.

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6. Request of Terry Patton for rezoning from A (Agricultural) to PR (Planned Residential) 1-L-04-RZ was before the Board of Commissioners. Property located on the north side of Bert Newman Lane, west of Bakertown Road. Sixth Commission District. (Book 18, Pgs. 319 & 320)

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

Commissioner Cawood moved to approve 1-L-04-RZ - Request of Terry Patton for rezoning from A (Agricultural) to PR (Planned Residential) as per Metropolitan Planning Commission's Recommendation: Approve PR (Planned

Residential) at a density of 1 to 3 dwelling units per acre. Commissioner Stephens seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Arms, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills and Clark voted aye. The motion carried 18-0-0-0.

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7. Request of James R. White for rezoning from A (Agricultural) to PR (Planned Residential) 1-M-04-RZ was before the Board of Commissioners. Property located on the southeast side of Snyder Road, west of Lovell Road. Fifth Commission District. (Book 18, Pgs.320 & 321)

Mr. Buzz Johnson, Development Services Director for Metropolitan Planning Commission, was present and spoke on the matter.

Mr. Richard LeMay, representing applicant, was present and spoke on the matter.

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

Mr. Bobby Letsinger, area resident, was present and spoke in opposition to the request.

Mr. David Hill, Director, Metropolitan Planning Commission, was present and spoke on the matter.

Mr. Mike Moyers, Knox County Law Director, was present and spoke on the matter.

Commissioner Moody moved to approve 1-M-04-RZ - Request of James R. White for rezoning from A (Agricultural) to PR (Planned Residential) as per Metropolitan Planning Commission's Recommendation: Approve PR (Planned Residential) at a density of 1 to 3 dwelling units per acre and the following stipulation that County Engineering pay special attention to ingress and egress regulations. Commissioner Guthe seconded the motion and upon roll call vote

Commissioners Jordan, Strickland, Collins, Moody, Guthe, Schmid, Arms, Griess, Horner and Clark voted aye. Commissioners Tindell, Harmon, Leuthold, Cawood, Stephens, Moore, McMillan and Mills voted no. The motion carried 10-8-0-0.

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8. Request of Fuad Reveiz for a Northwest County Sector Plan Amendment from O (Office) and LDR (Low Density Residential) to MDR (Medium Density Residential) 1-D-04-SP was before the Board of Commissioners. Property located on the south side of Hardin Valley Road, east of Southern Shade Blvd. (Sixth Commission District) (Book 18, Pg. 321)

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

Commissioner Cawood moved to approve 1-D-04-SP - Request of Fuad Reveiz for a Northwest County Sector Plan Amendment from O (Office) and LDR (Low Density Residential) to MDR (Medium Density Residential) as per Metropolitan Planning Commissions' Recommendation: Approve MDR (Medium Density Residential). Commissioner Stephens seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Arms, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills and Clark voted aye. The motion carried 18-0-0-0.

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9. Request of Fuad Reveiz for rezoning from A (Agricultural) to PR (Planned Residential) 1-R-04-RZ was before the Board of Commissioners. Property located on the south side of Hardin Valley Road, east of Southern Shade Blvd. (Sixth Commission District) (Book 18, Pg. 322)

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

Commissioner Cawood moved to approve 1-R-04-RZ - Request of Fuad Reveiz for rezoning from A (Agricultural) to PR (Planned Residential) as per Metropolitan Planning Commission's Recommendation: Approve PR (Planned Residential) at a density of 1 to 6.5 dwelling units per acre. Commissioner Stephens seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Arms, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills and Clark voted aye. The motion carried 18-0-0-0.

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IN RE: REZONING APPEALS: (Book 18, Pgs. 322 & 323)

1. Appeal by David T. Burleson of MPC Denial of Southwest County Sector Plan Amendment from LDR (Low Density Residential) and A/RR (Agricultural/Rural Residential) to C (Commercial) 1-C-04-SP was before the Board of Commissioners. Property located on the southwest side of Wrights Ferry Road, southeast of South Northshore Drive. Fourth Commission District.

Mr. Buzz Johnson, Development Services Director for Metropolitan Planning Commission, was present and spoke on the matter.

Mr. David T. Burleson, applicant, was present and spoke on the matter.

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

Commissioner Horner moved to defer to the April Board of Commissioners meeting 1-C-04-SP - Appeal by David T. Burleson of MPC Denial of Southwest County Sector Plan Amendment from LDR (Low Density Residential) and A/RR (Agricultural/Rural Residential) to C (Commercial). Commissioner Mills seconded the motion and upon roll call vote Commissioners Tindell, Guthe, Griess, Horner, Moore and Mills voted aye. Commissioners Jordan, Strickland, Collins,

Moody, Harmon, Schmid, Arms, Leuthold, Cawood, Stephens, McMillan and Clark voted no. The motion failed 6-12-0-0.

Commissioner Guthe moved to withdraw from the agenda

1-C-04-SP - Appeal by David T. Burleson of MPC Denial of Southwest County Sector Plan Amendment from LDR (Low Density Residential) and A/RR (Agricultural/Rural Residential) to C (Commercial). Commissioner Mills seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Arms, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills and Clark voted aye. The motion carried 18-0-0-0.

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2. Appeal of David T. Burleson of MPC Denial of Rezoning from A (Agricultural) to CA (General Business) 1-O-04-RZ was before the Board of Commissioners. Property located on the southwest side of Wrights Ferry Road, southeast of South Northshore Drive. Fourth Commission District. (Book 18, Pgs. 323)

Mr. Buzz Johnson, Development Services Director for Metropolitan Planning Commission, was present and spoke on the matter.

Mr. David T. Burleson, applicant, was present and spoke on the matter.

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

Commissioner Horner moved to defer to the April Board of Commissioners meeting 1-O-04-RZ - Appeal of David T. Burleson of MPC Denial of Rezoning from A (Agricultural) to CA (General Business). Commissioner Mills seconded the motion and upon roll call vote Commissioners Tindell, Guthe, Griess, Horner, Moore and Mills voted aye. Commissioners Jordan, Strickland, Collins, Moody,

Harmon, Schmid, Arms, Leuthold, Cawood, Stephens, McMillan and Clark voted no. The motion failed 6-12-0-0.

Commissioner Guthe moved to withdraw from the agenda

1-O-04-RZ - Appeal of David T. Burleson of MPC Denial of Rezoning from A (Agricultural) to CA (General Business). Commissioner Mills seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Arms, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills and Clark voted aye. The motion carried 18-0-0-0.

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IN RE: AMENDMENTS TO THE KNOX COUNTY ZONING

ORDINANCE:

CONSIDERATION OF AN ORDINANCE OF THE
COMMISSION OF KNOX COUNTY, TENNESSEE AMENDING THE
KNOX COUNTY ZONING ORDINANCE REGULATING
METHADONE TREATMENT CLINICS AND RELATED ZONING
ORDINANCE SECTIONS’O-04-2-101: FIRST READING: (Book 18,
Pgs. 324 & 325)

Consideration of an Ordinance of the Commission of Knox County, Tennessee amending the Knox County Zoning Ordinance regulating methadone treatment clinics and related zoning ordinance sections was before the Board of Commissioners on first reading.

Ms. Shannon Lowe, area resident was present and spoke in opposition to the Ordinance.

Mr. Buzz Johnson, Development Services Director for Metropolitan Planning Commission, was present and spoke on the matter.

Mr. David Hill, Director, Metropolitan Planning Commission, was present and spoke on the matter.

Commissioner Horner moved to Defer for sixty (60) days and send back to Metropolitan Planning Commission and extend the moratorium for sixty (60) days on O-04-2-101 - Consideration of an Ordinance of the Commission of Knox County, Tennessee amending the Knox County Zoning Ordinance regulating methadone treatment clinics and related zoning ordinance sections on first reading. Commissioner Leuthold seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Arms, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills and Clark voted aye. The motion carried 18-0-0-0.

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IN RE: CONSIDERATION OF AN ORDINANCE OF THE
COMMISSION OF KNOX COUNTY, TENNESSEE AMENDING THE
KNOX COUNTY ZONING ORDINANCE CREATING STANDARD
TERMINOLOGY FOR THE KNOX COUNTY BOARD OF ZONING
APPEALS: O-04-1-102: SECOND READING (Book 18, Pgs. 325 & 326)

Consideration of an Ordinance of the Commission of Knox County, Tennessee amending the Knox County Zoning Ordinance creating standard terminology for the Knox County Board of Zoning Appeals was before the Board of Commissioners on second reading.

Commissioner Guthe moved to approve O-04-1-102 - Consideration of an Ordinance of the Commission of Knox County, Tennessee amending the Knox County Zoning Ordinance creating standard terminology for the Knox County Board of Zoning Appeals on second reading. Commissioner Horner seconded the motion and upon roll call vote

Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon,
Guthe, Schmid, Arms, Leuthold, Griess, Cawood, Stephens, Horner, Moore,
McMillan, Mills and Clark voted aye. The motion carried 18-0-0-0.

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IN RE: ADJOURNMENT: (Book 18, Pg. 326)

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

DAVID COLLINS, CHAIRMAN

KNOX COUNTY BOARD OF COMMISSIONERS

The Knox County Board of Commissioners met in Special Session on Monday, March 15, 2004 at 9:45 in the Main Assembly Room of the City-County Building, Main Avenue. Those members present were Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Arms, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills and Clark. Also present were Mr. Mike Moyers, Knox County Law Director, Mr. Mike Ragsdale, Knox County Mayor, Mr. John Werner, Knox County Finance Director, and members of the news media.

Commissioner Collins, Chairman, presided.

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

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IN RE: ROLL CALL: (Book 19/Page 1)

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

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IN RE: PLEDGE OF ALLEGIANCE TO THE FLAG: (Book 19/Page 1)

Mr. Mike Ragsdale, Knox County Mayor, led the Pledge of Allegiance to the Flag.

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At this time, Commissioner Collins requested a moment of silence for the memory of Commissioner Howard Pinkston.

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IN RE: CONSIDERATION OF AN INTERIM APPOINTMENT

FOR KNOX COUNTY COMMISSION DISTRICT 9, SEAT B: (Book

19/Page 1) Consideration of an interim appointment for Knox County Commission District 9, Seat B was before the Board of Commissioners.

 Upon roll call for nominations for Knox County Commission District 9, Seat B, Commissioner Clark nominated Mr. Paul Pinkston, Jr. Commissioner Mills passed. Commissioner McMillan passed. Commissioner Moore passed. Commissioner Horner passed. Commissioner Stephens passed. Commissioner Cawood passed. Commissioner Griess passed. Commissioner Leuthold passed. Commissioner Arms passed. Commissioner Schmid passed. Commissioner Guthe passed. Commissioner Harmon passed. Commissioner Moody passed. Commissioner Tindell passed. Commissioner Collins passed. Commissioner Strickland passed. Commissioner Jordan passed.

 Commissioner Arms moved that Mr. Paul Pinkston, Jr. be appointed interim commissioner for Commission District 9, Seat B. Commissioner Horner seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Arms, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills and Clark voted aye. The motion carried 18-0-0-0.

 At this time, Chancellor Sharon Bell swore in newly appointed Commissioner Paul Pinkston, Jr. as interim commissioner for Commission District 9, Seat B.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE
COMMISSION OF KNOX COUNTY, TENNESSEE, REQUESTING
FULL SUPPORT BY THE KNOX COUNTY STATE LEGISLATIVE
DELEGATION OF LEGISLATION TO REQUIRE LENOIR CITY
UTILITY BOARD TO PAY AN APPROPRIATE AND EQUITABLE
SHARE OF IN-LIEU-OF-TAXES TO KNOX COUNTY – R-04-3-901-SS:
(Book 19/Page 2 & 3)

Consideration of a resolution of the Commission of Knox County, Tennessee, requesting full support by the Knox County State Legislative Delegation of Legislation to require Lenoir City Utility Board to pay an appropriate and equitable share of in-lieu-of-taxes to Knox County was before the Board of Commissioners.

Commissioner Arms moved to approve Resolution R-04-3-901-SS - Resolution of the Commission of Knox County, Tennessee, requesting full support by the Knox County State Legislative Delegation of Legislation to require Lenoir City Utility Board to pay an appropriate and equitable share of in-lieu-of-taxes to Knox County. Commissioner Leuthold seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Arms, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Clark and Pinkston voted aye. Commissioner Mills was absent from the vote. The motion carried 18-0-0-1.

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IN RE: ADJOURNMENT: *(Book 19/Page 3)*

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

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KNOX COUNTY BOARD OF COMMISSIONERS

DAVID COLLINS, CHAIRMAN

KNOX COUNTY BOARD OF COMMISSIONERS

The Knox County Board of Commissioners met in Regular Session on Monday, March 22, 2004 at 2:00 p.m. in the Main Assembly Room of the City-County Building, Main Avenue. Those members present were Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Arms, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills, Clark and newly appointed Commissioner Paul Pinkston. Also present were Mr. Mike Moyers, Knox County Law Director, Mr. Mike Ragsdale, Knox County Mayor, Mr. John Werner, Knox County Finance Director, Mr. Richard Walls, Knox County Internal Auditor, Mr. Dave Hill, Executive Director for Metropolitan Planning Commission, Mr. Ewing “Buzz” Johnson, Director of Development Services for Metropolitan Planning Commission, and members of the news media.

Commissioner Collins, Chairman, presided.

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

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IN RE: ROLL CALL:

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

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IN RE: DEVOTIONAL:

Commissioner Guthe gave the devotional.

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IN RE: PLEDGE OF ALLEGIANCE TO THE FLAG:

Commissioner Jordan led the Pledge of Allegiance to the Flag.

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IN RE: AMENDMENTS TO THE AGENDA:

1. At this time, Commissioner Collins acknowledged the presence of Boy Scout Troop #6 from Second Presbyterian Church.

2. At this time, there was discussion concerning public forum comments for the day's meeting not being broadcasted on CTV.

Mr. Mike Moyers, Knox County Law Director, was present and spoke on the matter.

Commissioner Guthe moved to suspend the rules to not broadcast public forum comments for the day's meeting on CTV. Also included in the motion was to request the Rules Committee to review this matter for this to be done permanently. Commissioner Horner seconded the motion and upon roll call vote Commissioners Collins, Moody, Harmon, Guthe, Schmid, Arms, Griess, Cawood, Stephens, Horner, Moore, Mills, Clark and Pinkston voted aye. Commissioners Jordan, Strickland, Leuthold and McMillan voted no. Commissioner Tindell abstained from voting. The motion carried 14-4-1-0.

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IN RE: COMMITTEE APPOINTMENTS:

At this time, there was discussion concerning Committee/Board appointments for newly appointed Commissioner Paul Pinkston.

Commissioner Mills moved to appoint Commissioner Pinkston to the following Committees/Boards: Finance Committee, Economic Development Committee, Board of Zoning and Appeals; Insolvency Board; Efficiency Review Committee; and Charter Review Committee. Commissioner Arms seconded the motion and upon roll call vote

Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Arms, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills, Clark and Pinkston voted aye. The motion carried 19-0-0-0.

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

3. Without objection, Commissioner Collins amended the agenda to add the following items: Resolution R-04-3-111 - Consideration of a resolution of the Commission of Knox County, Tennessee, re-appointing Dwight VanDeVate to the Knox County Housing Authority; Resolution R-04-3-603 - Consideration of a resolution of the Commission of Knox County, Tennessee, approving Amendment #1 to contract GG-04-10495-00 adding \$338,800.00 for bioterrorism services and \$133,350.00 for home visiting services; and Resolution R-04-3-907 - Consideration of a resolution of the Commission of Knox County, Tennessee, urging the 103rd General Assembly to adopt SB3242/HB3289 regarding the classification of certain property associated with utilities and railroads as real property for purposes of the property taxation. He also amended the agenda to withdraw the following item: Resolution R-04-3-903 - Consideration of a resolution of the Commission of Knox County, Tennessee, requesting a change by MPC in the residential density definitions used in sector plans.

4. Commissioner Harmon moved to amend the agenda to add the following item: Resolution R-04-3-204 - Consideration of a resolution of the Commission of Knox County, Tennessee, reconsidering Resolution

R-04-2-202 regarding funding of School Portable Buildings. The motion was seconded and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Schmid, Arms, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills, Clark and Pinkston voted aye. Commissioner Guthe voted no. The motion carried 18-1-0-0.

5. Without objection, Commissioner Collins amended the agenda to defer the following item to the April 2004 Board of Commissioners meeting: Resolution R-04-3-801 - Consideration of a resolution of the Commission of Knox County, Tennessee, approving the donation of a parcel of real property to the University of Tennessee.

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IN RE: CONSENT ITEMS:

1. Tax Refunds:

No request received.

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2. Notary Public Applications:

255 Notary Public Applications received.

Commissioner Mills moved to approve all Consent Items.

Commissioner Horner seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Arms, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills, Clark and Pinkston voted aye. The motion carried 19-0-0-0.

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IN RE: EDUCATION CONSENT CALENDAR:

**IN RE: CONSIDERATION OF A RESOLUTION OF THE
COMMISSION OF KNOX COUNTY, TENNESSEE, APPROVING A
CONTRACT TO PURCHASE PROPERTY AND HOUSE AT 9301 GULF
PARK DRIVE – R-04-3-201:**

Consideration of a resolution of the Commission of Knox County, Tennessee, approving a contract to purchase property and house at 9301 Gulf Park Drive was before the Board of Commissioners.

Mr. Mike Moyers, Knox County Law Director, was present and spoke on the matter.

Commissioner Horner moved to approve Resolution R-04-3-201 - Resolution of the Commission of Knox County, Tennessee, approving a contract to purchase property and house at 9301 Gulf Park Drive. The motion was seconded and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Arms, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills, Clark and Pinkston voted aye. The motion carried 19-0-0-0.

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**IN RE: CONSIDERATION OF A RESOLUTION OF THE
COMMISSION OF KNOX COUNTY, TENNESSEE, APPROVING A
CONTRACT WITH ECC ENTERPRISES FOR MOWING SERVICES
AT VARIOUS KNOX COUNTY SCHOOLS – R-04-3-202:**

Consideration of a resolution of the Commission of Knox County, Tennessee, approving a contract with ECC Enterprises for mowing

services at various Knox County Schools was before the Board of Commissioners.

Mr. Mike Moyers, Knox County Law Director, was present and spoke on the matter.

Commissioner Horner moved to approve Resolution R-04-3-202 - Resolution of the Commission of Knox County, Tennessee, approving a contract with ECC Enterprises for mowing services at various Knox County Schools. The motion was seconded and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Arms, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills, Clark and Pinkston voted aye. The motion carried 19-0-0-0.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE
COMMISSION OF KNOX COUNTY, TENNESSEE, APPROVING A
CONTRACT WITH MCMILLAN SERVICES FOR MOWING
SERVICES AT VARIOUS KNOX COUNTY SCHOOLS – R-04-3-203:

Consideration of a resolution of the Commission of Knox County, Tennessee, approving a contract with McMillan Services for mowing services at various Knox County Schools was before the Board of Commissioners.

Mr. Mike Moyers, Knox County Law Director, was present and spoke on the matter.

Commissioner Horner moved to approve Resolution R-04-3-203 - Resolution of the Commission of Knox County, Tennessee, approving a contract with McMillan Services for mowing services at various

Knox County Schools. The motion was seconded and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Arms, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills, Clark and Pinkston voted aye. The motion carried 19-0-0-0.

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IN RE: CONSENT CALENDAR:

IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, HONORING SARAH SIMPSON UPON HER RETIREMENT – R-04-3-101:

Consideration of a resolution of the Commission of Knox County, Tennessee, honoring Sarah Simpson upon her retirement was before the Board of Commissioners.

Commissioner Griess moved to approve Resolution R-04-3-101 Resolution of the Commission of Knox County, Tennessee, honoring Sarah Simpson upon her retirement. Commissioner Cawood seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Arms, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills, Clark and Pinkston voted aye. The motion carried 19-0-0-0.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, MEMORIALIZING COMMISSIONER HOWARD PINKSTON – R-04-3-102:

Consideration of a resolution of the Commission of Knox County, Tennessee, memorializing Commissioner Howard Pinkston was before the Board of Commissioners.

Commissioner Griess moved to approve Resolution R-04-3-102 Resolution of the Commission of Knox County, Tennessee, memorializing Commissioner Howard Pinkston. Commissioner Cawood seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Arms, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills, Clark and Pinkston voted aye. The motion carried 19-0-0-0.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, APPROVING AMENDMENT SIX TO GRANT Z-02-007127-00 BETWEEN THE STATE OF TENNESSEE AND THE KNOX COUNTY ALTERNATIVE TO PRISON PROGRAM – R-04-3-301:

Consideration of a resolution of the Commission of Knox County, Tennessee, approving amendment Six to Grant Z-02-007127-00 between the State of Tennessee and the Knox County Alternative to Prison Program was before the Board of Commissioners.

Commissioner Griess moved to approve Resolution R-04-3-301 Resolution of the Commission of Knox County, Tennessee, approving amendment Six to Grant Z-02-007127-00 between the State of Tennessee and the Knox County Alternative to Prison Program. Commissioner Cawood seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Arms,

Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills,
Clark and Pinkston voted aye. The motion carried 19-0-0-0.

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**IN RE: CONSIDERATION OF A RESOLUTION OF THE
COMMISSION OF KNOX COUNTY, TENNESSEE, APPROPRIATING
\$36,000.00 AND APPROVING A CONTRACT WITH TDOT FOR
INTERSECTION IMPROVEMENTS AT MARTIN MILL PIKE AND
JOHN SEVIER HIGHWAY – R-04-3-401:**

Consideration of a resolution of the Commission of Knox
County, Tennessee, appropriating \$36,000.00 and approving a contract with
TDOT for intersection improvements at Martin Mill Pike and John Sevier
Highway was before the Board of Commissioners.

Commissioner Griess moved to approve Resolution R-04-3-401
Resolution of the Commission of Knox County, Tennessee, appropriating
\$36,000.00 and approving a contract with TDOT for intersection
improvements at Martin Mill Pike and John Sevier Highway. Commissioner
Cawood seconded the motion and upon roll call vote Commissioners Jordan,
Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Arms,
Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills,
Clark and Pinkston voted aye. The motion carried 19-0-0-0.

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**IN RE: CONSIDERATION OF A RESOLUTION OF THE
COMMISSION OF KNOX COUNTY, TENNESSEE, APPROVING A
\$200,000.00 WASTE REDUCTION GRANT FROM THE TENNESSEE
DEPARTMENT OF ENVIRONMENT AND CONSERVATION,
DIVISION OF COMMUNITY ASSISTANCE – R-04-3-402:**

Consideration of a resolution of the Commission of Knox County, Tennessee, approving a \$200,000.00 Waste Reduction Grant from the Tennessee Department of Environment and Conservation, Division of Community Assistance was before the Board of Commissioners.

Commissioner Griess moved to approve Resolution R-04-3-402 Resolution of the Commission of Knox County, Tennessee, approving a \$200,000.00 Waste Reduction Grant from the Tennessee Department of Environment and Conservation, Division of Community Assistance.

Commissioner Cawood seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Arms, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills, Clark and Pinkston voted aye. The motion carried 19-0-0-0.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE
COMMISSION OF KNOX COUNTY, TENNESSEE, APPROVING A
CONTRACT FUNDING INCREASE WITH KNOXVILLE/KNOX
COUNTY COMMUNITY ACTION COMMITTEE’S MINOR HOME
REPAIR PROGRAM IN THE AMOUNT OF \$50,000.00 –
R-04-3-501:

Consideration of a resolution of the Commission of Knox County, Tennessee, approving a contract funding increase with Knoxville/Knox County Community Action Committee’s Minor Home Repair Program in the amount of \$50,000.00 was before the Board of Commissioners.

Commissioner Griess moved to approve Resolution R-04-3-501 Resolution of the Commission of Knox County, Tennessee, approving a contract funding increase with Knoxville/Knox County Community Action Committee's Minor Home Repair Program in the amount of \$50,000.00. Commissioner Cawood seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Arms, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills, Clark and Pinkston voted aye. The motion carried 19-0-0-0.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE
COMMISSION OF KNOX COUNTY, TENNESSEE, APPROVING A
CONTRACT WITH THE HELEN ROSS MCNABB CENTER'S
HARMONY HOUSE FOR REHABILITATION OF EIGHT UNITS OF
AFFORDABLE RENTAL HOUSING – R-04-3-502:

Consideration of a resolution of the Commission of Knox County, Tennessee, approving a contract with the Helen Ross McNabb Center's Harmony House for rehabilitation of eight units of affordable rental housing was before the Board of Commissioners.

Commissioner Griess moved to approve Resolution R-04-3-502 Resolution of the Commission of Knox County, Tennessee, approving a contract with the Helen Ross McNabb Center's Harmony House for rehabilitation of eight units of affordable rental housing. Commissioner Cawood seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Arms,

Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills,
Clark and Pinkston voted aye. The motion carried 19-0-0-0.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE
COMMISSION OF KNOX COUNTY, TENNESSEE, APPROVING A
CONTRACT WITH THE KNOX HOUSING PARTNERSHIP TO
PROVIDE OPERATING FUNDS FOR THE RIVERBIRCH II SENIOR
HOUSING DEVELOPMENT – R-04-3-503:

Consideration of a resolution of the Commission of Knox
County, Tennessee, approving a contract with the Knox Housing Partnership
to provide operating funds for the Riverbirch II Senior Housing
Development was before the Board of Commissioners.

Commissioner Griess moved to approve Resolution R-04-3-503
Resolution of the Commission of Knox County, Tennessee, approving a
contract with the Knox Housing Partnership to provide operating funds for
the Riverbirch II Senior Housing Development. Commissioner Cawood
seconded the motion and upon roll call vote Commissioners Jordan,
Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Arms,
Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills,
Clark and Pinkston voted aye. The motion carried 19-0-0-0.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE
COMMISSION OF KNOX COUNTY, TENNESSEE, APPROVING A
CONTRACT WITH KNOXVILLE HABITAT FOR HUMANITY TO
PURCHASE LAND FOR THE CONSTRUCTION OF FORTY UNITS
OF AFFORDABLE HOUSING – R-04-3-504:

Consideration of a resolution of the Commission of Knox County, Tennessee, approving a contract with Knoxville Habitat for Humanity to purchase land for the construction of forty units of affordable housing was before the Board of Commissioners.

Commissioner Griess moved to approve Resolution R-04-3-504 Resolution of the Commission of Knox County, Tennessee, approving a contract with Knoxville Habitat for Humanity to purchase land for the construction of forty units of affordable housing. Commissioner Cawood seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Arms, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills, Clark and Pinkston voted aye. The motion carried 19-0-0-0.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE
COMMISSION OF KNOX COUNTY, TENNESSEE, APPROVING A
CONTRACT BETWEEN THE KNOX COUNTY HEALTH
DEPARTMENT AND THE TENNESSEE DEPARTMENT OF HEALTH
TO CONTINUE THE IMMUNIZATIONS SERVICES FOR THE
PERIOD OF 1/01/04 – 12/31/04 IN THE AMOUNT OF \$196,100.00 –
R-04-3-601:

Consideration of a resolution of the Commission of Knox County, Tennessee, approving a contract between the Knox County Health Department and the Tennessee Department of Health to continue the Immunizations Services for the period of 1/01/04 – 12/31/04 in the amount of \$196,100.00 was before the Board of Commissioners.

Commissioner Griess moved to approve Resolution R-04-3-601 Resolution of the Commission of Knox County, Tennessee, approving a contract between the Knox County Health Department and the Tennessee Department of Health to continue the Immunizations Services for the period of 1/01/04 – 12/31/04 in the amount of \$196,100.00. Commissioner Cawood seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Arms, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills, Clark and Pinkston voted aye. The motion carried 19-0-0-0.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE
COMMISSION OF KNOX COUNTY, TENNESSEE, APPROVING THE
KNOX COUNTY INDIGENT CARE CONTRACT – R-04-3-602:

Consideration of a resolution of the Commission of Knox County, Tennessee, approving the Knox County Indigent Care contract was before the Board of Commissioners.

Commissioner Griess moved to approve Resolution R-04-3-602 Resolution of the Commission of Knox County, Tennessee, approving the Knox County Indigent Care contract. Commissioner Cawood seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Arms, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills, Clark and Pinkston voted aye. The motion carried 19-0-0-0.

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

**CONTRACT WITH THE OFFICIAL SOURCE, INC. FOR BASEBALL
AND SOFTBALL OFFICIALS FOR KNOX COUNTY LEAGUES –**

R-04-3-701:

Consideration of a resolution of the Commission of Knox County, Tennessee, approving a contract with the Official Source, Inc. for Baseball and Softball Officials for Knox County leagues was before the Board of Commissioners.

Commissioner Griess moved to approve Resolution R-04-3-701 Resolution of the Commission of Knox County, Tennessee, approving a contract with the Official Source, Inc. for Baseball and Softball Officials for Knox County leagues. Commissioner Cawood seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Arms, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills, Clark and Pinkston voted aye. The motion carried 19-0-0-0.

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**IN RE: CONSIDERATION OF A RESOLUTION OF THE
COMMISSION OF KNOX COUNTY, TENNESSEE, APPROVING THE
EXTENSION OF A GRANT AGREEMENT BETWEEN THE DISTRICT
PUBLIC DEFENDER’S OFFICE AND HEART OF KNOXVILLE
CAREER/RESOURCE CENTER – R-04-3-902:**

Consideration of a resolution of the Commission of Knox County, Tennessee, approving the extension of a grant agreement between the District Public Defender’s Office and Heart of Knoxville Career/Resource Center was before the Board of Commissioners.

Commissioner Griess moved to approve Resolution R-04-3-902 Resolution of the Commission of Knox County, Tennessee, approving the extension of a grant agreement between the District Public Defender's Office and Heart of Knoxville Career/Resource Center. Commissioner Cawood seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Arms, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills, Clark and Pinkston voted aye. The motion carried 19-0-0-0.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE
COMMISSION OF KNOX COUNTY, TENNESSEE, URGING THE
103RD GENERAL ASSEMBLY TO CAREFULLY CONSIDER AND
ADOPT REFORMS TENNESSEE'S WORKER'S COMPENSATION
SYSTEM LAWS OF THE STATE OF TENNESSEE – R-04-3-904:

Consideration of a resolution of the Commission of Knox County, Tennessee, urging the 103rd General Assembly to carefully consider and adopt reforms Tennessee's Worker's Compensation System Laws of the State of Tennessee was before the Board of Commissioners.

Commissioner Griess moved to approve Resolution R-04-3-904 Resolution of the Commission of Knox County, Tennessee, urging the 103rd General Assembly to carefully consider and adopt reforms Tennessee's Worker's Compensation System Laws of the State of Tennessee. Commissioner Cawood seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Arms, Leuthold, Griess, Cawood, Stephens, Horner, Moore,

McMillan, Mills, Clark and Pinkston voted aye. The motion carried 19-0-0-0.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, APPROVING A CONTRACT BETWEEN KNOX COUNTY GOVERNMENT AND ALTERNATIVE CORRECTIONAL SERVICES FOR THE OPERATION OF A DUI SCHOOL AT KNOX COUNTY PROBATION SERVICES – R-04-3-906:

Consideration of a resolution of the Commission of Knox County, Tennessee, approving a contract between Knox County Government and Alternative Correctional Services for the operation of a DUI School at Knox County Probation Services was before the Board of Commissioners.

Commissioner Griess moved to approve Resolution R-04-3-906 Resolution of the Commission of Knox County, Tennessee, approving a contract between Knox County Government and Alternative Correctional Services for the operation of a DUI School at Knox County Probation Services. Commissioner Cawood seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Arms, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills, Clark and Pinkston voted aye. The motion carried 19-0-0-0.

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IN RE: ACCEPTANCE OF NEW COUNTY ROADS:

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

- A. Cate Land Lane, Cates Crossing Subdivision, District 6.
- B. Pine Walk Lane, Cates Crossing Subdivision, District 6.
- C. Wellington Point Lane, North Wellington Subdivision, District 8.

Commissioner Griess moved to approve the above acceptance of new county roads. Commissioner Cawood seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Arms, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills, Clark and Pinkston voted aye. The motion carried 19-0-0-0.

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IN RE: APPROVAL OF MINUTES OF THE PREVIOUS MEETING:

Consideration of approval of minutes of the previous meeting was before the Board of Commissioners.

Commissioner Horner moved to approve the minutes of the previous meeting. Commissioner Stephens seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Arms, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills, Clark and Pinkston voted aye. The motion carried 19-0-0-0.

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IN RE: ELECTIONS AND APPOINTMENTS:

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

DAVE HILL TO THE KNOX REGION SOLID WASTE ADVISORY

BOARD – R-04-3-110:

Consideration of a resolution of the Commission of Knox County, Tennessee, appointing Dave Hill to the Knox Region Solid Waste Advisory Board was before the Board of Commissioners.

Commissioner Guthe moved to approve Resolution R-04-3-110 Resolution of the Commission of Knox County, Tennessee, appointing Dave Hill to the Knox Region Solid Waste Advisory Board. Commissioner Horner seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Arms, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills, Clark and Pinkston voted aye. The motion carried 19-0-0-0.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE
COMMISSION OF KNOX COUNTY, TENNESSEE, RE-APPOINTING
DWIGHT VANDEVATE TO THE KNOX COUNTY HOUSING

AUTHORITY – R-04-3-111:

Consideration of a resolution of the Commission of Knox County, Tennessee, re-appointing Dwight VanDeVate to the Knox County Housing Authority was before the Board of Commissioners.

Commissioner Guthe moved to approve Resolution R-04-3-111 Resolution of the Commission of Knox County, Tennessee, re-appointing Dwight VanDeVate to the Knox County Housing Authority. Commissioner Mills seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Arms,

Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills,
Clark and Pinkston voted aye. The motion carried 19-0-0-0.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE
COMMISSION OF KNOX COUNTY, TENNESSEE, RECONSIDERING
RESOLUTION R-04-2-202 REGARDING FUNDING OF SCHOOL
PORTABLE BUILDINGS – R-04-3-204:

Consideration of a resolution of the Commission of Knox
County, Tennessee, reconsidering Resolution R-04-2-202 regarding funding
of School Portable Buildings was before the Board of Commissioners.

Mr. Mike Ragsdale, Knox County Mayor, Mr. Ron McPherson,
Supervisor of Financial Services and Accounting for Knox County Schools,
Mr. John Werner, Knox County Finance Director, and Mr. Mike Moyers,
Knox County Law Director, were present and spoke on the matter.

Commissioner Harmon moved to approve Resolution
R-04-3-204 - Resolution of the Commission of Knox County, Tennessee,
reconsidering Resolution R-04-2-202 regarding funding of School Portable
Buildings. Commissioner Strickland seconded the motion and upon roll call
vote Commissioners Pinkston, Clark, Horner, Arms, Schmid, Harmon,
Moody, Tindell and Strickland voted aye. Commissioners Mills, McMillan,
Moore, Stephens, Cawood, Griess, Leuthold, Guthe, Collins and Jordan
voted no. The motion failed 9-10-0-0.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE
COMMISSION OF KNOX COUNTY, TENNESSEE, APPROVING
AMENDMENT #1 TO CONTRACT GG-04-10495-00 ADDING

\$338,800.00 FOR BIOTERRORISM SERVICES AND 133,350.00 FOR HOME VISITING SERVICES – R-04-3-603:

Consideration of a resolution of the Commission of Knox County, Tennessee, approving Amendment #1 to contract GG-04-10495-00 adding \$338,800.00 for bioterrorism services and 133,350.00 for home visiting services was before the Board of Commissioners.

Mr. Mark Jones, Knox County Health Department Director, was present and spoke on the matter.

Commissioner Guthe moved to approve Resolution R-04-3-603 Resolution of the Commission of Knox County, Tennessee, approving Amendment #1 to contract GG-04-10495-00 adding \$338,800.00 for bioterrorism services and 133,350.00 for home visiting services.

Commissioner Horner seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Arms, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills, Clark and Pinkston voted aye. The motion carried 19-0-0-0.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, APPROVING THE DONATION OF A PARCEL OF REAL PROPERTY TO THE UNIVERSITY OF TENNESSEE – R-04-3-801:

This item was deferred to the April 2004 Board of Commissioners meeting. (See Amendments to the Agenda, Page 7)

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**IN RE: CONSIDERATION OF A RESOLUTION OF THE
COMMISSION OF KNOX COUNTY, TENNESSEE, APPROVING
WAIVER OF DEED RESTRICTIONS TO PROPERTY LOCATED ON
JOHN SEVIER HIGHWAY – R-04-3-901:**

Consideration of a resolution of the Commission of Knox County, Tennessee, approving waiver of deed restrictions to property located on John Sevier Highway was before the Board of Commissioners.

Mr. Mike Moyers, Knox County Law Director, was present and spoke on the matter.

Commissioner Guthe moved to approve Resolution R-04-3-901 Resolution of the Commission of Knox County, Tennessee, approving waiver of deed restrictions to property located on John Sevier Highway with the amendment of adding the following language to Page 2 of the resolution: “Knox County’s right of repurchase reflected in Deed Book 1356, Page 632 and Deed Book 1497, Page 328 is waived for the benefit of Pilot Corporation as to tax parcel 097-033.05, as long as Pilot Corporation develops said property within two years following Pilot’s purchase of property.” Commissioner Mills seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Arms, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills, Clark and Pinkston voted aye. The motion carried 19-0-0-0.

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

CHANGE BY MPC IN THE RESIDENTIAL DENSITY DEFINITIONS

USED IN SECTOR PLANS – R-04-3-903:

This item was withdrawn from the agenda. (See Amendments to the Agenda, Page 6)

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IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, APPROVING THE PROPOSED PLAN OF ACTION TO ADDRESS AIR QUALITY NON-ATTAINMENT ISSUES IN ACCORDANCE WITH THE EARLY ACTION COMPACT – R-04-3-905:

Consideration of a resolution of the Commission of Knox County, Tennessee, approving the proposed plan of action to address air quality non-attainment issues in accordance with the Early Action Compact was before the Board of Commissioners.

Mr. Mike Moyers, Knox County Law Director, Mr. Mike Ragsdale, Knox County Mayor, Ms. Lynne Liddington, Knox County Air Quality Management Director, and Ms. Valerie True, Clean Air Program Coordinator for the Southern Alliance for Clean Energy, were present and spoke on the matter.

Commissioner Guthe moved to approve Resolution R-04-3-905 Resolution of the Commission of Knox County, Tennessee, approving the proposed plan of action to address air quality non-attainment issues in accordance with the Early Action Compact. Commissioner Horner seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Arms,

Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills,
Clark and Pinkston voted aye. The motion carried 19-0-0-0.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE
COMMISSION OF KNOX COUNTY, TENNESSEE, URGING THE
103RD GENERAL ASSEMBLY TO ADOPT SB3242/HB3289
REGARDING THE CLASSIFICATION OF CERTAIN PROPERTY
ASSOCIATED WITH UTILITIES AND RAILROADS AS REAL
PROPERTY FOR PURPOSES OF THE PROPERTY TAXATION –
R-04-3-907:

Consideration of a resolution of the Commission of Knox
County, Tennessee, urging the 103rd General Assembly to adopt
SB3242/HB3289 regarding the classification of certain property associated
with utilities and railroads as real property for purposes of the property
taxation was before the Board of Commissioners.

Commissioner Moody moved to approve Resolution
R-04-3-907 - Resolution of the Commission of Knox County, Tennessee,
urging the 103rd General Assembly to adopt SB3242/HB3289 regarding the
classification of certain property associated with utilities and railroads as
real property for purposes of the property taxation. Commissioner Mills
seconded the motion and upon roll call vote Commissioners Jordan,
Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Arms,
Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills,
Clark and Pinkston voted aye. The motion carried 19-0-0-0.

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IN RE: PUBLIC FORUM:

No one was present to speak.

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IN RE: ROLL CALL – (6:00 P.M.)

Mrs. Angie Nesbitt Minutes Clerk to the Knox County Clerk called the roll. Those Commissioners responding were Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Arms, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills, Clark and Pinkston.

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IN RE: ZONING REQUESTS:

1. Consideration of the request of Lois J. Lowe for rezoning from A Agricultural Zone to RB General Residential Zone was before the Board of Commissioners. Property located on the north side of Kimberlin Heights Road, southwest of Burnett Creek Road. Ninth Commission District.

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

Commissioner Clark moved to approve zoning request 2-C-04-RZ - Request of Lois J. Lowe for rezoning from A Agricultural Zone to PR Planned Residential Zone at a density of 1 to 5 dwelling units per acre as per MPC's recommendation. Commissioner Pinkston seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Arms, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills, Clark and Pinkston voted aye. The motion carried 19-0-0-0. Property located on the north side

of Kimberlin Heights Road, southwest of Burnett Creek Road. Ninth Commission District.

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2. Consideration of the request of McCampbell Drive Partnership, LLC for rezoning from RB General Residential and I Industrial Zone to PR Planned Residential Zone was before the Board of Commissioners. Property located on the south side of McCampbell Drive, northwest of Washington Pike. Seventh Commission District.

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

Commissioner Horner moved to approve zoning request 2-G-04-RZ - Request of McCampbell Drive Partnership, LLC for rezoning from RB General Residential and I Industrial Zone to PR Planned Residential Zone at a density of 1 to 4 dwelling units per acre as per MPC's recommendation. Commissioner Moore seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Arms, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills, Clark and Pinkston voted aye. The motion carried 19-0-0-0. Property located on the south side of McCampbell Drive, northwest of Washington Pike. Seventh Commission District.

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3. Consideration of the request of Murphy Road Partnership, LLC for rezoning from PR Planned Residential Zone to CN Neighborhood Commercial Zone was before the Board of Commissioners. Property located on the southeast side of Washington Pike, southeast of Murphy Road. Eighth Commission District.

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

Commissioner Mills moved to approve zoning request 2-I-04-RZ - Request of Murphy Road Partnership, LLC for rezoning from PR Planned Residential Zone to CN Neighborhood Commercial Zone as per MPC's recommendation. Commissioner Strickland seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Arms, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills, Clark and Pinkston voted aye. The motion carried 19-0-0-0. Property located on the southeast side of Washington Pike, southeast of Murphy Road. Eighth Commission District.

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4. Consideration of the request of Mike Hinton for a Northwest County Sector Plan Amendment from LDR Low Density Residential Zone to MDR Medium Density Residential Zone was before the Board of Commissioners. Property located on the southwest side of Old Clinton Pike, southeast of West Beaver Creek Drive. Sixth Commission District.

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

Commissioner Mills moved to approve zoning request 2-B-04-SP – Request of Mike Hinton for a Northwest County Sector Plan Amendment from LDR Low Density Residential Zone to MDR Medium Density Residential Zone as per MPC's recommendation. Commissioner Strickland seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Arms, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills,

Clark and Pinkston voted aye. The motion carried 19-0-0-0. Property located on the southwest side of Old Clinton Pike, southeast of West Beaver Creek Drive. Sixth Commission District.

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5. Consideration of the request of Mike Hinton for rezoning from A Agricultural Zone to RB General Residential Zone was before the Board of Commissioners. Property located on the southwest side of Old Clinton Pike, southeast of West Beaver Creek Drive. Sixth Commission District.

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

Commissioner Mills moved to approve zoning request 2-L-04-RZ – Request of Mike Hinton for rezoning from A Agricultural Zone to RB General Residential Zone as per MPC’s recommendation.

Commissioner Strickland seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Arms, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills, Clark and Pinkston voted aye. The motion carried 19-0-0-0. Property located on the southwest side of Old Clinton Pike, southeast of West Beaver Creek Drive. Sixth Commission District.

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6. Consideration of the zoning request of Sterling Webb for a Northwest City Sector Plan amendment from LDR Low Density Residential Zone to GC General Commercial Zone was before the Board of Commissioners. Property located on the northeast side of Oak Ridge Highway, northwest of Ridgedale Road. Sixth Commercial District.

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

Commissioner Mills moved to approve zoning request 2-D-04-SP – Request of Sterling Webb for a Northwest City Sector Plan amendment from LDR Low Density Residential Zone to C Commercial Zone as per MPC’s recommendation. Commissioner Strickland seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Arms, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills, Clark and Pinkston voted aye. The motion carried 19-0-0-0. Property located on the northeast side of Oak Ridge Highway, northwest of Ridgedale Road. Sixth Commercial District.

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7. Consideration of the request of Sterling Webb for rezoning from A Agricultural Zone to CA General Business Zone was before the Board of Commissioners. Property located on the northeast side of Oak Ridge Highway, northwest of Ridgedale Road. Sixth Commission District.

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

Commissioner Mills moved to approve zoning request 2-O-04-RZ – Request of Sterling Webb for rezoning from A Agricultural Zone to PC Planned Commercial as per MPC’s recommendation. Commissioner Strickland seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Arms, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills, Clark and Pinkston voted aye. The motion carried

19-0-0-0. Property located on the northeast side of Oak Ridge Highway, northwest of Ridgedale Road. Sixth Commission District.

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

6. Commissioner Collins amended the agenda to hear the following item at this time: Technology Corridor appeal by S & E Properties of TTCDA denial of certificate of appropriateness for rezoning from A Agricultural and Agricultural/TO Technology Overlay Zone to PR Planned Residential and PR Planned Residential/TO Technology Overlay Zone.

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IN RE: TECHNOLOGY CORRIDOR:

1. Consideration of the appeal by S & E Properties of TTCDA denial of certificate of appropriateness for rezoning from A Agricultural and Agricultural/TO Technology Overlay Zone to PR Planned Residential and PR Planned Residential/TO Technology Overlay Zone was before the Board of Commissioners. Property located on the east and west side of Thompson Road, south of Hardin Valley Road. Sixth Commission District.

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

Commissioner Cawood moved to approve Technology Corridor Appeal 04.002.0 – Appeal by S & E Properties of TTCDA denial of certificate of appropriateness for rezoning from A Agricultural and Agricultural/TO Technology Overlay Zone to PR Planned Residential and PR Planned Residential/TO Technology Overlay Zone. Commissioner Mills seconded the motion and upon roll call vote Commissioners Jordan,

Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Arms, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills, Clark and Pinkston voted aye. The motion carried 19-0-0-0. Property located on the east and west side of Thompson Road, south of Hardin Valley Road. Sixth Commission District.

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IN RE: ZONING REQUESTS – (CONTINUED):

8. Consideration of the zoning request of S & E Properties for rezoning from A Agricultural and A Agricultural/TO Technology Overlay Zone to PR Planned Residential and PR Planned Residential/TO Technology Overlay Zone was before the Board of Commissioners. Property located on the east and west side of Thompson Road, south of Hardin Valley Road. Sixth Commission District.

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

Commissioner Cawood moved to approve zoning request 2-P-04-RZ – Request of S & E Properties for rezoning from A Agricultural and A Agricultural/TO Technology Overlay Zone to PR Planned Residential Zone at a density of 1 to 3 dwelling units per acre for the east side of Thompson Road and PR/TO Planned Residential/Technology Overlay Zone at a density of 1 to 1.5 on the west side of Thompson Road as per MPC’s recommendation. Commissioner Griess seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Arms, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills, Clark and Pinkston voted aye. The motion

carried 19-0-0-0. Property located on the east and west side of Thompson Road, south of Hardin Valley Road. Sixth Commission District.

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IN RE: ROLL CALL BY DISTRICTS:

Commissioner Collins dispensed with roll call by districts and called for adjournment.

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IN RE: ADJOURNMENT:

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

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KNOX COUNTY BOARD OF COMMISSIONERS

DAVID COLLINS, CHAIRMAN

KNOX COUNTY BOARD OF COMMISSIONERS

The Knox County Board of Commissioners met in Regular Session Monday, April 19, 2004 at 2:00 p.m. in the Main Assembly Room of the City-County Building Main Avenue. Those members present were Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Arms, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills, Clark and Pinkston. Also present were Mr. Mike Ragsdale, Knox County Mayor, Mr. Mike Moyers, Knox County Law Director, Mr. John Werner, Director, Knox County Finance, Mr. Richard Walls, Knox County Internal Auditor and news media.

Commissioner Collins, Chairman, presided.

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

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IN RE: ROLL CALL:

Mrs. Martha Beeler, Administrative Assistance to the Knox County Clerk, called the roll.

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IN RE: DEVOTIONAL:

Mr. Walter McMillan, Administrator, Knox County Schools, gave the devotional.

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IN RE: PLEDGE OF ALLEGIANCE TO THE FLAG:

Commissioner Wanda Moody led the Pledge of Allegiance to the flag.

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IN RE: AMENDMENTS TO THE AGENDA:

Without objection, Commissioner Collins amended the agenda as follows:

1. Add R-04-4-201 – Resolution appropriating \$3,000,000.00 for textbooks for the 2004-2005 school year to the consent calendar.
2. Remove from the consent calendar and add to the regular agenda R-04-4-102 – Resolution honoring Farragut High School.
3. Commissioner Mills moved to withdraw from the agenda R-04-4-905 – Resolution upholding the 500 foot variance for Beer Permits. Commissioner Horner seconded the motion and upon voice vote the motion carried 19-0-0-0.
4. Commissioner Griess moved to withdraw R-04-4-902 - Resolution regarding the Public Forum section of the Commission agenda. Commissioner Horner seconded the motion and upon voice vote the motion carried 19-0-0-0.
5. Defer to the May Board of Commissioners meeting R-04-4-802 Resolution approving the donation of a parcel of real property to the University of Tennessee.

IN RE: CONSENT ITEMS:

1. Tax Refunds:

No request received.

2. Notary Public Applications:

197 Notary Public Applications received.

Commissioner Horner moved to approve the Consent Items. Commissioner Cawood seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Arms, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills, Clark and Pinkston voted aye. The motion carried

19-0-0-0.

IN RE: EDUCATION CONSENT CALENDAR:

**IN RE: CONSIDERATION OF A RESOLUTION OF THE
COMMISSION OF KNOX COUNTY, TENNESSEE APPROVING SIX
CONTRACTS FOR ELECTRICAL SERVICES FOR THE KNOX
COUNTY SCHOOL SYSTEM: R-04-4-202:**

Consideration of a Resolution of the Commission of Knox County, Tennessee approving six contracts for electrical services for the Knox County School System was before the Board of Commissioners.

There was a motion to approve R-04-4-202 - Consideration of a Resolution of the Commission of Knox County, Tennessee approving six contracts for electrical services for the Knox the Knox County School System. The motion was seconded and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Arms, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills, Clark and Pinkston voted aye. The motion carried 19-0-0-0.

**IN RE: CONSIDERATION OF A RESOLUTION OF THE
COMMISSION OF KNOX COUNTY, TENNESSEE HONORING
POWELL HIGH SCHOOL'S TECHNOLOGY STUDENT
ASSOCIATION CHAPTER: R-04-4-101:**

Consideration of a Resolution of the Commission of Knox County, Tennessee honoring Powell High School's Technology Student Association Chapter was before the Board of Commissioners.

Commissioner Griess moved to approve R-04-4-101 -

Consideration of a Resolution of the Commission of Knox County, Tennessee honoring Powell High School's Technology Student Association Chapter. Commissioner Arms seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Arms, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills, Clark and Pinkston voted aye. The motion carried 19-0-0-0.

IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE HONORING DR. ALLEN EDWARDS: R-04-4-103:)

Consideration of a Resolution of the Commission of Knox County, Tennessee honoring Dr. Allen Edwards was before the Board of Commissioners.

Commissioner Griess moved to approve R-04-4-103 - Consideration of a Resolution of the Commission of Knox County, Tennessee honoring Dr. Allen Edwards. Commissioner Arms seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Arms, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills, Clark and Pinkston voted aye. The motion carried 19-0-0-0.

IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE HONORING WILLIAM 'BO' PIERCE: R-04-4-104:

Consideration of a Resolution of the Commission of Knox County, Tennessee honoring William ‘Bo’ Pierce was before the Board of Commissioners.

Commissioner Griess moved to approve R-04-4-104- Consideration of a Resolution of the Commission of Knox County, Tennessee honoring William ‘Bo’ Pierce. Commissioner Arms seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Arms, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills, Clark and Pinkston voted aye. The motion carried 19-0-0-0.

IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE APPROPRIATING \$3,000,000.00 FOR TEXTBOOKS FOR THE 2004-2005 SCHOOL YEAR: R-04-4-201:

Consideration of a Resolution of the Commission of Knox County, Tennessee appropriating \$3,000,000.00 for textbooks for the 2004-2005 school year was before the Board of Commissioners.

Commissioner Griess moved to approve R-04-4-201 Consideration of a Resolution of the Commission of Knox County, Tennessee appropriating \$3,000,000.00 for textbooks for the 2004-2005 school year. Commissioner Arms seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Arms, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills, Clark and Pinkston voted aye. The motion carried 19-0-0-0.

**IN RE: CONSIDERATION OF A RESOLUTION OF THE
COMMISSION OF KNOX COUNTY, TENNESSEE APPROVING A
STATE AID CONTRACT WITH TDOT FOR THE RESURFACING OF
MILLERTOWN PIKE: R-04-4-401:**

Consideration of a Resolution of the Commission of Knox County, Tennessee approving a State Aid contract with TDOT for the resurfacing of Millertown Pike was before the Board of Commissioners.

Commissioner Griess moved to approve R-04-4-401 - Consideration of a Resolution of the Commission of Knox County, Tennessee approving a State Aid contract with TDOT for the resurfacing of Millertown Pike. Commissioner Arms seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Arms, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills, Clark and Pinkston voted aye. The motion carried 19-0-0-0.

**IN RE: CONSIDERATION OF A RESOLUTION OF THE
COMMISSION OF KNOX COUNTY, TENNESSEE APPROVING A
STATE AID CONTRACT WITH TDOT FOR THE RESURFACING OF
KODAK ROAD: R-04-4-402:**

Consideration of a Resolution of the Commission of Knox County, Tennessee approving a State Aid contract with TDOT for the resurfacing of Kodak Road was before the Board of Commissioners.

Commissioner Griess moved to approve R-04-4-402 - Consideration of a Resolution of the Commission of Knox County, Tennessee approving a State Aid contract with TDOT for the resurfacing of Kodak Road. Commissioner Arms seconded the motion and upon roll call

vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Arms, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills, Clark and Pinkston voted aye. The motion carried 19-0-0-0.

IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE APPROPRIATING \$984,526.00 FOR RIGHT-OF-WAY ACQUISITIONS ON BALL CAMP PIKE, PHASE III: R-04-4-403:

Consideration of a Resolution of the Commission of Knox County, Tennessee appropriating \$984,526.00 for right-of-way acquisitions on Ball Camp Pike, Phase III was before the Board of Commissioners.

Commissioner Griess moved to approve R-04-4-403 - Consideration of a Resolution of the Commission of Knox County, Tennessee appropriating \$984,526.00 for right-of-way acquisitions on Ball Camp Pike, Phase III. Commissioner Arms seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Arms, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills, Clark and Pinkston voted aye. The motion carried 19-0-0-0.

IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE AUTHORIZING A TECHNICAL CORRECTION TO RESOLUTION R-04-3-603 BY CHANGING THE AMOUNT OF \$338,800.00 TO \$388,800.00 R-04-4-601:

Consideration of a Resolution of the Commission of Knox County, Tennessee authorizing a technical correction to Resolution R-04-3-603 by changing the amount of \$338,800.00 to \$388,800.00 was before the Board of Commissioners.

Commissioner Griess moved to approve R-04-4-601
Consideration of a Resolution of the Commission of Knox County, Tennessee authorizing a technical correction to Resolution R-04-3-603 by changing the amount of \$338,800.00 to \$388,800.00. Commissioner Arms seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Arms, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills, Clark and Pinkston voted aye. The motion carried 19-0-0-0.

IN RE: CONSIDERATION OF A RESOLUTION OF THE
COMMISSION OF KNOX COUNTY, TENNESSEE APPROVING A
GRANT AGREEMENT BETWEEN KNOX COUNTY AND THE
TENNESSEE DEPARTMENT OF HEALTH FOR THE PROVISION
OF COMBINED MULTI HEALTH SERVICES FOR THE PERIOD OF
7/01/04 TO 6/30/05 IN THE AMOUNT OF \$2,586,104.00:R-04-4-602:

Consideration of a Resolution of the Commission of Knox County, Tennessee approving a grant agreement between Knox County and the Tennessee Department of Health for the provision of Combined Multi Health Services for the period of 7/01/04 to 6/30/05 in the amount of \$2,586,104.00 was before the Board of Commissioners.

Commissioner Griess moved to approve R-04-4-602
Consideration of a Resolution of the Commission of Knox County, Tennessee approving a grant agreement between Knox County and the

Tennessee Department of Health for the provision of Combined Multi Health Services for the period of 7/01/04 to 6/30/05 in the amount of \$2,586,104.00. Commissioner Arms seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Arms, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills, Clark and Pinkston voted aye. The motion carried 19-0-0-0.

IN RE: CONSIDERATION OF A RESOLUTION OF THE
COMMISSION OF KNOX COUNTY, TENNESSEE APPROVING A
CONTRACT BETWEEN KNOX COUNTY AND THE TENNESSEE
DEPARTMENT OF HEALTH FOR THE PROVISION OF
ADMINISTERING ENVIRONMENTAL HEALTH PROGRAMS FOR
THE PERIOD 7/01/04 TO 6/30/05 IN THE AMOUNT OF \$703,000.00:
R-04-4-603:

Consideration of a Resolution of the Commission of Knox County, Tennessee approving a contract between Knox County and the Tennessee Department of Health for the provision of administering Environmental Health Programs for the period 7/01/04 to 6/30/05 in the amount of \$703,000.00 was before the Board of Commissioners.

Commissioner Griess moved to approve R-04-4-603 - Consideration of a Resolution of the Commission of Knox County, Tennessee approving a contract between Knox County and the Tennessee Department of Health for the provision of administering Environmental Health Programs for the period 7/01/04 to 6/30/05 in the amount of \$703,000.00. Commissioner Arms seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon,

Guthe, Schmid, Arms, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills, Clark and Pinkston voted aye. The motion carried 19-0-0-0.

IN RE: CONSIDERATION OF A RESOLUTION OF THE
COMMISSION OF KNOX COUNTY, TENNESSEE APPROVING A
COOPERATIVE MANAGEMENT AGREEMENT BETWEEN THE
TENNESSEE DEPARTMENT OF ENVIRONMENT AND
CONSERVATION DIVISION OF NATURAL HERITAGE AND KNOX
COUNTY FOR THE COOPERATIVE MANAGEMENT OF HOUSE
MOUNTAIN CLASS I SCENIC-RECREATIONAL STATE NATURAL
AREA: R-04-4-701:

Consideration of a Resolution of the Commission of Knox County, Tennessee approving a Cooperative Management Agreement between the Tennessee Department of Environment and Conservation Division of Natural Heritage and Knox County for the cooperative management of House Mountain Class I Scenic-Recreational State Natural Area was before the Board of Commissioners.

Commissioner Griess moved to approve R-04-4-701 - Consideration of a Resolution of the Commission of Knox County, Tennessee approving a Cooperative Management Agreement between the Tennessee Department of Environment and Conservation Division of Natural Heritage and Knox County for the cooperative management of House Mountain Class I Scenic-Recreational State Natural Area.

Commissioner Arms seconded the motion and upon roll call vote

Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon,

Guthe, Schmid, Arms, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills, Clark and Pinkston voted aye. The motion carried 19-0-0-0.

IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE ACCEPTING THE DONATION OF LAND FROM THE KNOX LAND AND WATER CONSERVANCY FOR THE EXTENSION OF THE HALLS GREENWAY:R-04-4-702:

Consideration of a Resolution of the Commission of Knox County, Tennessee accepting the donation of land from the Knox Land and Water Conservancy for the extension of the Halls Greenway was before the Board of Commissioners.

Commissioner Griess moved to approve R-04-4-702 - Consideration of a Resolution of the Commission of Knox County, Tennessee accepting the donation of land from the Knox Land and Water Conservancy for the extension of the Halls Greenway. Commissioner Arms seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Arms, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills, Clark and Pinkston voted aye. The motion carried 19-0-0-0.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE ACCEPTING LIABILITY FOR FUTURE CLAIMS MADE AGAINST ANY UNCLAIMED PROPERTY RETURNED FROM THE STATE OF TENNESSEE: R-04-4-801:

Consideration of a Resolution of the Commission of Knox County, Tennessee accepting liability for future claims made against any unclaimed property returned from the State of Tennessee was before the Board of Commissioners.

Commissioner Griess moved to approve R-04-4-801 - Consideration of a Resolution of the Commission of Knox County, Tennessee accepting liability for future claims made against any unclaimed property returned from the State of Tennessee. Commissioner Arms seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Arms, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills, Clark and Pinkston voted aye. The motion carried 19-0-0-0.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE
COMMISSION OF KNOX COUNTY, TENNESSEE APPROPRIATING
\$379,646.00 FOR JOHN TARLETON FROM GENERAL FUND

BALANCE: R-04-4-803:

Consideration of a Resolution of the Commission of Knox County, Tennessee appropriating \$379,646.00 for John Tarleton from General Fund Balance was before the Board of Commissioners.

Commissioner Griess moved to approve R-04-4-803 - Consideration of a Resolution of the Commission of Knox County, Tennessee appropriating \$379,646.00 for John Tarleton from General Fund Balance. Commissioner Arms seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Arms, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills, Clark and Pinkston voted aye. The motion carried

19-0-0-0.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE APPROVING A GRANT FROM THE STATE OF TENNESSEE EMERGENCY MANAGEMENT AGENCY TO KNOX COUNTY EMERGENCY MANAGEMENT IN THE AMOUNT OF \$85,021.00 TO SUBSIDIZE THE EMA BUDGET FOR SALARIES: R-04-4-901:

Consideration of a Resolution of the Commission of Knox County, Tennessee approving a grant from the State of Tennessee Emergency Management Agency to Knox County Emergency Management in the amount of \$85,021.00 to subsidize the EMA budget for salaries was before the Board of Commissioners.

Commissioner Griess moved to approve R-04-4-901 - Consideration of a Resolution of the Commission of Knox County, Tennessee approving a grant from the State of Tennessee Emergency Management Agency to Knox County Emergency Management in the amount of \$85,021.00 to subsidize the EMA budget for salaries. Commissioner Arms seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Arms, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills, Clark and Pinkston voted aye. The motion carried 19-0-0-0.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE RESCINDING RESOLUTION R-98-9-142, ELIMINATING THE POSITION OF THE EXECUTIVE DIRECTOR OF THE COUNTY COMMISSION OFFICE:

R-04-4-904:

Consideration of a Resolution of the Commission of Knox County, Tennessee rescinding Resolution R-98-9-142, eliminating the position of the Executive Director of the County Commission Office was before the Board of Commissioners.

Commissioner Griess moved to approve R-04-4-904 - Consideration of a Resolution of the Commission of Knox County, Tennessee rescinding Resolution R-98-9-142, eliminating the position of the Executive Director of the County Commission Office. Commissioner Arms seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Arms, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills, Clark and Pinkston voted aye. The motion carried 19-0-0-0.

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IN RE: ACCEPTANCE OF NEW COUNTY ROADS:

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

- A. Edith Keller Lane in the Andorian Hills Subdivision.
(District 8)
- B. Bajor Lane in the Andorian Hills Subdivision. (District 8)
- C. Discovery Lane in the CTI Subdivision. (District 6)
- D. Corridor Park Lane in the CTI Subdivision. (District 6)

Commissioner Griess moved to approve the above Acceptance of new County Roads. Commissioner Arms seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Arms, Leuthold, Griess, Cawood, Stephens, Horner, Moore,

McMillan, Mills, Clark and Pinkston voted aye. The motion carried 19-0-0-0.

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

Consideration of approval of minutes of the previous meeting was before the Board of Commissioners.

Commissioner Mills moved to approve the minutes of the previous meeting. Commissioner Horner seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Arms, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills, Clark and Pinkston voted aye. The motion carried 19-0-0-0.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE HONORING FARRAGUT HIGH SCHOOL: R-04-4-102:

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

Mr. Ed Hedgepath, Principle, Farragut High School, was present and spoke on the matter.

Commissioner Griess moved to approve R-04-4-102 – Consideration of a Resolution of the Commission of Knox County, Tennessee honoring Farragut High School. Commissioners Leuthold and Arms seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Arms,

Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills,
Clark and Pinkston voted aye. The motion carried 19-0-0-0.

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IN RE: ELECTIONS AND APPOINTMENTS:

**IN RE: CONSIDERATION OF A RESOLUTION OF THE
COMMISSION OF KNOX COUNTY, TENNESSEE APPOINTING
CAROL MONTGOMERY TO THE KNOX COUNTY HISTORICAL
ZONING COMMISSION: R-04-4-110:**

Consideration of a Resolution of the Commission of Knox
County, Tennessee appointing Carol Montgomery to the Knox County
Historical Zoning Commission was before the Board of Commissioners.

Commissioner Guthe moved to approve R-04-4-110 -
Consideration of a Resolution of the Commission of Knox County,
Tennessee appointing Carol Montgomery to the Knox County Historical
Zoning Commission. Commissioner Griess seconded the motion and upon
roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody,
Harmon, Guthe, Schmid, Arms, Leuthold, Griess, Cawood, Stephens,
Horner, Moore, McMillan, Mills, Clark and Pinkston voted aye. The motion
carried 19-0-0-0.

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**IN RE: CONSIDERATION OF A RESOLUTION OF THE
COMMISSION OF KNOX COUNTY, TENNESSEE APPOINTING
MARTI HAUN TO THE BOARD OF COMMISSION FOR THE KNOX
COUNTY HOUSING AUTHORITY: R-04-4-111:**

Consideration of a Resolution of the Commission of Knox
County, Tennessee appointing Marti Haun to the Board of Commission for

the Knox County Housing Authority was before the Board of Commissioners.

Commissioner Guthe moved to approve R-04-4-111 - Consideration of a Resolution of the Commission of Knox County, Tennessee appointing Marti Haun to the Board of Commission for the Knox County Housing Authority. Commissioner Griess seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Arms, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills, Clark and Pinkston voted aye. The motion carried 19-0-0-0.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE
COMMISSION OF KNOX COUNTY, TENNESSEE APPROVING
APPOINTMENTS TO THE COMMUNITY ADVISORY BOARD FOR
THE ALTERNATIVES TO PRISON PROGRAM (CAPP):R-04-4-112:

Consideration of a Resolution of the Commission of Knox County, Tennessee approving appointments to the Community Advisory Board for the Alternatives to Prison Program (CAPP) was before the Board of Commissioners.

Commissioner Guthe moved to approve R-04-4-112 - Consideration of a Resolution of the Commission of Knox County, Tennessee approving appointments to the Community Advisory Board for the Alternatives to Prison Program (CAPP). Commissioner Horner seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Arms, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills, Clark and Pinkston voted aye. The motion carried 19-0-0-0.

IN RE: CONSIDERATION OF A RESOLUTION OF THE
COMMISSION OF KNOX COUNTY, TENNESSEE AMENDING THE
COMMISSION RULES TO BEGIN THE ZONING SESSION AT 4:00
P.M.: R-04-4-903:

Consideration of a Resolution of the Commission of Knox County, Tennessee amending the Commission Rules to begin the Zoning session at 4:00 p.m. was before the Board of Commissioners.

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

Commissioner Horner moved to approve R-04-4-903 - Consideration of a Resolution of the Commission of Knox County, Tennessee amending the Commission Rules to begin the Zoning session at 4:00 p.m. Commissioner Cawood seconded the motion.

Commissioner Schmid moved as a substitute motion to change the time from 4:00 p.m. to 5:00 p.m. on R-04-4-903 - Consideration of a Resolution of the Commission of Knox County, Tennessee amending the Commission Rules to begin the Zoning session at 4:00 p.m. Commissioner Cawood seconded the motion and upon roll call vote Commissioners Strickland, Collins, Schmid, Arms, Leuthold, Moore, Clark and Pinkston voted aye. Commissioners Jordan, Tindell, Moody, Harmon, Guthe, Griess, Cawood, Stephens, Horner, McMillan and Mills voted no. The substitute motion failed 8-11-0-0.

Upon roll call of the original motion to approve R-04-4-903 – Consideration of a Resolution of the Commission of Knox County, Tennessee amending the Commission Rules to begin the Zoning session at 4:00 p.m., Commissioners Jordan, Strickland, Collins, Tindell, Moody,

Harmon, Guthe, Arms, Leuthold, Griess, Cawood, Stephens, Horner, McMillan and Mills voted aye. Commissioners Schmid, Moore, Clark and Pinkston voted no. The motion carried 15-4-0-0.

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PUBLIC FORUM:

1. Commissioner Larry Clark spoke on cable companies.
2. Mr. Lewis Davis, Student at Cedar Bluff Middle School, President of Student Body spoke on the need for a new high school.
3. Ms. Megan Brown, Student at Cedar Bluff Middle School, was present and spoke on the need for a new high school.

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IN RE: ROLL CALL:

Those Commissioners responding were Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Arms, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills, Clark and Pinkston.

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IN RE: AMENEDMENT TO THE AGENDA:

At this time Commissioner McMillan introduced Boy Scout Troup 500 from the Gibbs community.

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IN RE: ZONING REQUEST:

1. Request of Hunters Creek, LLC for street name change from Fish Pond Lane to Deer Ridge Lane 3-A-04-SNC was before the Board of Commissioners. Street located between Hunters Creek Lane and dead end cul-de-sac. Fifth Commission District.

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

Commissioner Leuthold moved to approve 3-A-04-SNC Request of Hunters Creek, LLC for street name change from Fish Pond Lane to Deer Ridge Lane as per Metropolitan Planning Commission's Recommendation: Approve Deer Ridge Lane. Commissioner Horner seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Schmid, Arms, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills, Clark and Pinkston voted aye. Commissioner Guthe was absent from the vote. The motion carried 18-0-0-1.

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2. Request of John Kerr Construction Concepts for West City Sector Plan Amendment from LDR (Low Density Residential) to MDR (Medium Density Residential) 2-C-04-SP was before the Board of Commissioners. Property located on the north side of Westland Drive, east of Cessna Drive. Fourth Commission District.

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

Commissioner Schmid moved to approve 2-C-04-SP - Request of John Kerr Construction Concepts for West City Sector Plan Amendment from LDR (Low Density Residential) to MDR (Medium Density Residential) as per Metropolitan Planning Commission's Recommendation: Approve MDR (Medium Density Residential). Commissioner Horner seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Schmid, Arms, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills, Clark and

Pinkston voted aye. Commissioner Guthe was absent from the vote. The motion carried 18-0-0-1.

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3. Request of John Kerr Construction Concepts for rezoning from RA (Low Density Residential) to PR (Planned Residential) 2-J-04-RZ was before the Board of Commissioners. Property located on the north side of Westland Drive, east of Cessna Drive. Fourth Commission District.

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

Commissioner Schmid moved to approve 2-J-04-RZ Request of John Kerr Construction Concepts for rezoning from RA (Low Density Residential) to PR (Planned Residential) as per Metropolitan Planning Commission's Recommendation: Approve PR (Planned Residential) at a density of 1 to 8 dwelling units per acre. Commissioner Horner seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Schmid, Arms, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills, Clark and Pinkston voted aye. Commissioner Guthe was absent from the vote. The motion carried 18-0-0-1.

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4. Request of Jeffrey R. Murrell for rezoning from A (Agricultural) to PR (Planned Residential) 2-K-04-RZ was before the Board of Commissioners. Property located on the northeast side of Coatney Road, southeast side of West Governor John Sevier Highway. Ninth Commission District.

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

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

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

Mr. Gene Blalock, representing South Doyle Homeowners Association, was present and spoke in opposition to the request.

Mr. Mike Moyers, Knox County Law Director, was present and spoke on the matter.

Commissioner Leuthold moved to approve 2-K-04-RZ -

Request of Jeffrey R. Murrell for rezoning from A (Agricultural) to PR (Planned Residential) as per Metropolitan Planning Commission's Recommendation: Approve PR (Planned Residential) at a density of 1 to 4 dwelling units per acre. Commissioner Cawood seconded the motion and upon roll call vote Commissioners Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Arms, Griess, Cawood, Stephens, Horner and Moore voted aye. Commissioners Leuthold, McMillan, Mills, Clark and Pinkston voted no. Commissioner Jordan was absent from the vote. The motion carried 13-5-0-1.

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5. Request of Jim Slyman for rezoning from PR (Planned Residential) and A (Agricultural) to PR (Planned Residential) 2-M-04-RZ was before the Board of Commissioners. Property located on the north side of Tazewell Pike, northwest of Clapps Chapel Road. Eighth Commission District.

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

Commissioner Mills moved to approve 2-M-04-RZ Request of Jim Slyman for rezoning from PR (Planned Residential) and A (Agricultural) to PR (Planned Residential) as per Metropolitan Planning Commission's Recommendation: Approve PR (Planned Residential) at a density of 1 dwelling unit per acre. Commissioner McMillan seconded the motion and upon roll call vote Commissioners Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Arms, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills, Clark and Pinkston voted aye. Commissioner Jordan was absent from the vote. The motion carried 18-0-0-1.

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6. Request of Connie Singletary for Northwest County Sector Plan Amendment from LDR (Low Density Residential) and SP (Slope Protection) to C (Commercial) and SP (Slope Protection) 3-A-04-SP was before the Board of Commissioners. Property located on the southwest side of Oak Ridge Highway, southwest of Weaver Road. Sixth Commission District.

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

Commissioner Cawood moved to approve 3-A-04-SP - Request of Connie Singletary for Northwest County Sector Plan Amendment from LDR (Low Density Residential) and SP (Slope Protection) to C (Commercial) and SP (Slope Protection) as per Metropolitan Planning Commission's Recommendation: Approve C (Commercial) and SP (Slope Protection). Commissioner Stephens seconded the motion and upon roll call vote Commissioners Strickland, Collins, Tindell, Moody, Harmon, Guthe, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills,

Clark and Pinkston voted aye. Commissioners Jordan, Schmid and Arms were absent from the vote. The motion carried 16-0-0-3.

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7. Request of Connie Singletary for rezoning from A (Agricultural) to CA (General Business) 3-D-04-RZ was before the Board of Commissioners. Property located on the southwest side of Oak Ridge Highway, southwest of Weaver Road. Sixth Commission District.

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

Commissioner Cawood moved to approve 3-D-04-RZ - Request of Connie Singletary for rezoning from A (Agricultural) to CA (General Business) as per Metropolitan Planning Commission's Recommendation: Approve CA (General Business). Commissioner Stephens seconded the motion and upon roll call vote Commissioners Strickland, Collins, Tindell, Moody, Harmon, Guthe, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills, Clark and Pinkston voted aye. Commissioners Jordan, Schmid and Arms were absent from the vote. The motion carried 16-0-0-3.

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8. Request of Robert F. and Mary P. Slack for North County Sector Plan Amendment from LDR (Low Density Residential) to C (Commercial) 3-C-04-SP was before the Board of Commissioners. Property located on the south side of Crippen Road, east of Maynardville Pike. Seventh Commission District.

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

Commissioner Horner moved to approve 3-C-04-SP - Request of Robert F. and Mary P. Slack for North County Sector Plan Amendment from LDR (Low Density Residential) to C (Commercial) as per Metropolitan Planning Commission's Recommendation: Approve C (Commercial). Commissioner Moore seconded the motion and upon roll call vote Commissioners Strickland, Collins, Tindell, Moody, Harmon, Guthe, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills, Clark and Pinkston voted aye. Commissioners Jordan, Schmid and Arms were absent from the vote. The motion carried 16-0-0-3.

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9. Request of Robert F. and Mary P. Slack for rezoning from RB (General Residential) to CA (General Business) 3-E-04-RZ was before the Board of Commissioners. Property located on the south side of Crippen Road, east of Maynardville Pike. Seventh Commission District.

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

Commissioner Horner moved to approve 3-E-04-RZ - Request of Robert F. and Mary P. Slack for rezoning from RB (General Residential) to CA (General Business) as per Metropolitan Planning Commission's Recommendation: Approve CA (General Business). Commissioner Moore seconded the motion and upon roll call vote Commissioners Strickland, Collins, Tindell, Moody, Harmon, Guthe, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills, Clark and Pinkston voted aye. Commissioners Jordan, Schmid and Arms were absent from the vote. The motion carried 16-0-0-3.

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10. Request of Jill Collins for Northwest County Sector Plan Amendment from LDR (Low Density Residential) to C (Commercial) 3-D-04-SP was before the Board of Commissioners. Property located on the southwest side of Old Clinton Pike, southeast of W. Beaver Creek Drive. Sixth Commission District.

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

Commissioner Stephens moved to approve 3-D-04-SP - Request of Jill Collins for Northwest County Sector Plan Amendment from LDR (Low Density Residential) to C (Commercial) as per Metropolitan Planning Commission's Recommendation: Approve C (Commercial). Commissioner Cawood seconded the motion and upon roll call vote Commissioners Strickland, Collins, Tindell, Moody, Harmon, Schmid, Guthe, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills, Clark and Pinkston voted aye. Commissioners Jordan and Arms were absent from the vote. The motion carried 17-0-0-2.

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11. Request of Jill Collins for rezoning from RB (General Residential) to CA (General Business) 3-F-04-RZ was before the Board of Commissioners. Property located on the southwest side of Old Clinton Pike, southeast of W. Beaver Creek Drive. Sixth Commission District.

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

Commissioner Stephens moved to approve 3-F-04-RZ - Request of Jill Collins for rezoning from RB (General Residential) to CA (General Business) as per Metropolitan Planning Commission's Recommendation: Approve CA (General Business). Commissioner

Cawood seconded the motion and upon roll call vote Commissioners Strickland, Collins, Tindell, Moody, Harmon, Schmid, Guthe, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills, Clark and Pinkston voted aye. Commissioners Jordan and Arms were absent from the vote. The motion carried 17-0-0-2.

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12. Request of Mike Hinton for rezoning from A (Agricultural) to PR (Planned Residential) 3-G-04-RZ was before the Board of Commissioners. Property located on the southeast side of Meredith Road, northeast of Taylors View Lane. Sixth Commission District.

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

Commissioner Cawood moved to approve 3-G-04-RZ - Request of Mike Hinton for rezoning from A (Agricultural) to PR (Planned Residential) as per Metropolitan Planning Commission's Recommendation: Approve PR (Planned Residential) at a density of 1 to 3 dwelling unit per acre. Commissioner Stephens seconded the motion and upon roll call vote Commissioners Strickland, Collins, Tindell, Moody, Harmon, Schmid, Guthe, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills, Clark and Pinkston voted aye. Commissioners Jordan and Arms were absent from the vote. The motion carried 17-0-0-2.

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13. Request of Len Johnson for rezoning from A (Agricultural) to CR (Rural Commercial) 3-H-04-RZ was before the Board of Commissioners. Property located on the southeast end of Whitten Lane, South east of Choto Road. Fifth Commission District.

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

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

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

Commissioner Leuthold moved to approve 3-H-04-RZ - Request of Len Johnson for rezoning from A (Agricultural) to CR (Rural Commercial) as per Metropolitan Planning Commission's Recommendation: Approve CR (Rural Commercial). Commissioner Guthe seconded the motion and upon roll call vote Commissioners Strickland, Collins, Tindell, Moody, Harmon, Schmid, Arms, Guthe, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills, Clark and Pinkston voted aye. Commissioner Jordan was absent from the vote. The motion carried 18-0-0-1.

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14. Request of Landview, LLC for Northwest County Sector Plan Amendment from TP (Technology Park) to LDR (Low Density Residential) 3-F-04-SP was before the Board of Commissioners. Property located on the northeast side of Solway Road, southwest side of Pellissippi Parkway, north of George Light Road. Sixth Commission District.

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

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

Commissioner Cawood moved to approve 3-F-04-SP - Request of Landview, LLC for Northwest County Sector Plan Amendment from TP

(Technology Park) to LDR (Low Density Residential) as per Metropolitan Planning Commission's Recommendation: Approve LDR (Low Density Residential). Commissioner Horner seconded the motion and upon roll call vote Commissioners Collins, Tindell, Moody, Harmon, Schmid, Arms, Guthe, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills, Clark and Pinkston voted aye. Commissioners Jordan and Strickland were absent from the vote. The motion carried 17-0-0-2.

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15. Request of Landview, LLC for rezoning from PC (Planned Commercial) and A (Agricultural)/ TO (Technology Overlay) to PR (Planned Residential) and PR/ TO (Planned Residential) /Technology Overlay 3-I-04-RZ was before the Board of Commissioners. Property located on the northeast side of Solway Road, southwest side of Pellissippi Parkway.

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

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

Commissioner Cawood moved to approve 3-I-04-RZ - Request of Landview, LLC for rezoning from PC (Planned Commercial) and A (Agricultural)/ TO (Technology Overlay) to PR (Planned Residential) and PR/TO (Planned Residential/Technology Overlay as per Planning Commission's Recommendation: Approve PR (Planned Residential) and PR/TO (Planned Residential/Technology Overlay) at a density of 1 to 3 dwelling units per acre. Commissioner Horner seconded the motion and upon roll call vote Commissioners Collins, Tindell, Moody, Harmon, Schmid, Arms, Guthe, Leuthold, Griess, Cawood, Stephens, Horner, Moore,

McMillan, Mills, Clark and Pinkston voted aye. Commissioners Jordan and Strickland were absent from the vote. The motion carried 17-0-0-2.

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16. Request of Paul Garron/Garron Land Surveying for rezoning from A (Agricultural) to PR (Planned Residential) 3-J-04-RZ was before the Board of Commissioners. Property located on the northeast side of Morris Road, northwest of E. Emory Road. Seventh Commission District.

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

Commissioner Horner moved to approve 3-J-04- RZ -

Request of Paul Garron/Garron Land Surveying for rezoning from A (Agricultural) to PR (Planned Residential) as per Metropolitan Planning Commission's Recommendation: Approve PR (Planned Residential) at a density of 1 to 3 dwelling units per acre. Commissioner Moore seconded the motion and upon roll call vote Commissioners Collins, Tindell, Moody, Harmon, Schmid, Arms, Guthe, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills, Clark and Pinkston voted aye. Commissioners Jordan and Strickland were absent from the vote. The motion carried 17-0-0-2.

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17. Request of Traci Sanderson, Rufus Smith III and Tom Smith for rezoning from RB (General Residential) to CB (Business and Manufacturing) 3-M-04-RZ was before the Board of Commissioners. Property located on the northwest side of Oak Ridge Highway, southwest of Pennell Lane. Sixth Commission District.

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

Commissioner Cawood moved to approve 3-M-04-RZ - Request of Traci Sanderson, Rufus Smith III and Tom Smith for rezoning from RB (General Residential) to CB (Business and Manufacturing) as per Metropolitan Planning Commission's Recommendation: Approve CB (Business and Manufacturing). Commissioner Stephens seconded the motion and upon roll call vote Commissioners Collins, Tindell, Moody, Harmon, Schmid, Arms, Guthe, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills, Clark and Pinkston voted aye. Commissioners Jordan and Strickland were absent from the vote. The motion carried 17-0-0-2.

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18. Request of Eagle Bend Realty for rezoning from A (Agricultural) to PR (Planned Residential) 3-N-04-RZ was before the Board of Commissioners. Property located on the northwest side of Hill Road, north of Cabbage Road. Eighth Commission District.

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

Commissioner McMillan moved to approve 3-N-04-RZ - Request of Eagle Bend Realty for rezoning from A (Agricultural) to PR (Planned Residential) as per Metropolitan Planning Commission's Recommendation: Approve PR (Planned Residential) at a density of 1 to 3 dwelling units per acre. Commissioner Mills seconded the motion and upon roll call vote Commissioners Collins, Tindell, Moody, Harmon, Schmid, Arms, Guthe, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills, Clark and Pinkston voted aye. Commissioners Jordan and Strickland were absent from the vote. The motion carried 17-0-0-2.

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19. Request of S & E Properties for rezoning from A (Agricultural)/F (Floodway) to PR (Planned Residential)/Floodway 3-R-04-RZ was before the Board of Commissioners. Property located on the southeast side of Westland Drive, southwest of South Northshore Drive. Fifth Commission District.

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

Commissioner Arms moved to approve 3-R-04-RZ - Request of S & E Properties for rezoning from A (Agricultural)/F (Floodway) to PR (Planned Residential)/Floodway as per Metropolitan Planning Commission's Recommendation: Approve PR (Planned Residential)/F (Floodway) at a density of 1 to 3 dwelling units per acre. Commissioner Leuthold seconded the motion and upon roll call vote Commissioners Collins, Tindell, Moody, Harmon, Schmid, Arms, Guthe, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills, Clark and Pinkston voted aye. Commissioners Jordan and Strickland were absent from the vote. The motion carried 17-0-0-2.

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IN RE: REZONING APPEALS:

Appeal of John K. King, Attorney for Applicant Terry Patton, of Metropolitan Planning Commission's denial of CA (General Business) Zoning 3-P-04-RZ was before the Board of Commissioners. Property located on the north side of I-40, south side of Union School Road, south of Hammer Road. Eighth Commission District.

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

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

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

Commissioner Mills moved to uphold the appeal of John K. King, Attorney for Applicant Terry Patton, of Metropolitan Planning Commission's denial of CA (General Business). Commissioner Guthe seconded the motion and upon roll call vote Commissioners Collins, Tindell, Moody, Harmon, Schmid, Arms, Guthe, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills, Clark and Pinkston voted aye. Commissioners Jordan and Strickland were absent from the vote. The motion carried 17-0-0-2.

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IN RE: AMENDMENTS TO THE KNOX COUNTY ZONING

ORDINANCE: O-04-4-101: FIRST READING:

Consideration of an Ordinance of the Commission of Knox County, Tennessee amending the Knox County Zoning Ordinance regulating methadone treatment clinics and related zoning ordinance sections was before the Board of Commissioners on first reading.

Commissioner Guthe moved to approve O-04-4-101 - Consideration of an Ordinance of the Commission of Knox County, Tennessee amending the Knox County Zoning Ordinance regulating methadone treatment clinics and related zoning ordinance sections on first reading. Commissioner Cawood seconded the motion and upon roll call vote Commissioners Collins, Tindell, Moody, Harmon, Schmid, Arms, Guthe, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan,

Mills, Clark and Pinkston voted aye. Commissioners Jordan and Strickland were absent from the vote. The motion carried 17-0-0-2.

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IN RE: **ADJOURNMENT:**

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

DAVID COLLINS, CHAIRMAN

KNOX COUNTY BOARD OF COMMISSIONERS

The Knox County Board of Commissioners met in Regular Session on Monday, May 24, 2004 at 2:00 p.m. in the Main Assembly Room of the City-County Building, Main Avenue. Those members present were Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Arms, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills, Clark and Pinkston. Also present were Mr. Mike Moyers, Knox County Law Director, Mr. Richard Walls, Knox County Internal Auditor, Mr. Mike Ragsdale, Knox County Mayor, Mr. John Werner, Knox County Finance Director, Mr. Dave Hill, Executive Director for Metropolitan Planning Commission, Mr. Ewing “Buzz” Johnson, Director of Development Services for Metropolitan Planning Commission, and members of the news media.

Commissioner Collins, Chairman, presided.

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

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IN RE: ROLL CALL: (Book 19/Page 75)

Mrs. Martha Beeler, Administrative Assistant to the Knox County Clerk, called the roll.

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IN RE: DEVOTIONAL: (Book 19/Page 75)

Chaplin Blake Green gave the devotional.

Commissioner Arms requested a moment of silence for the memory of deceased soldiers who had served in Iraq and Kuwait during the war on terrorism.

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IN RE: PLEDGE OF ALLEGIANCE TO THE FLAG: (*Book 19/Page 76*)

At this time, Central High School Honor/Color Guard presented the Flag.

Commissioner Pinkston led the Pledge of Allegiance to the Flag.

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IN RE: AMENDMENTS TO THE AGENDA: (*Book 19/Page 76 & 77*)

1. Commissioner Collins amended the agenda to remove the following item from the Consent Calendar and to be heard after completion of the Education Consent Calendar: Resolution R-04-5-104 - Consideration of a resolution of the Commission of Knox County, Tennessee, honoring Scott Dix for winning the 140 pound TSSAA State Wrestling Championship.

2. Without objection, Commissioner Collins amended the agenda to add the following item to the Consent Calendar: Resolution R-04-5-105 - Consideration of a resolution of the Commission of Knox County, Tennessee, honoring Victor Ashe for becoming the Ambassador to Poland.

3. Commissioner Collins amended the agenda to add Ordinance O-04-5-101A - Consideration of an Ordinance of the Commission of Knox County, Tennessee, amending Ordinance #O-03-5-101 and establishing the rate of the Knox County Vehicle Registration Tax.

Mr. Mike Moyers, Knox County Law Director, was present and spoke on the matter.

4. Without objection, Commissioner Collins amended the agenda to add the following item: Resolution R-04-5-905 - Consideration of a resolution of the Commission of Knox County, Tennessee, approving amendments to the franchise agreement with Knology. He also amended the agenda to defer the following item to the June 2004 Board of Commissioners meeting: Resolution R-04-5-904 - Consideration of a resolution of the Commission of Knox County, Tennessee, approving a memorandum of understanding between Knox County and the City of Knoxville regarding a swap of certain properties in downtown Knoxville.

5. Commissioner Collins amended the agenda to withdraw the following item: Resolution R-04-5-103 - Consideration of a resolution of the Commission of Knox County, Tennessee, honoring Brenda Thomas for being named Teacher of the Year.

6. Without objection, Commissioner Collins amended the agenda to add the following item: Resolution R-04-5-906 - Consideration of a resolution of the Commission of Knox County, Tennessee, approving a litigation tax or \$10.00.

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IN RE: CONSENT ITEMS: (Book 19/Page 77)

1. Tax Refunds:

No request received.

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2. Notary Public Applications:

251 Notary Public Applications received.

Commissioner Horner moved to approve all Consent Items.

Commissioner Leuthold seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Arms, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills, Clark and Pinkston voted aye. The motion carried 19-0-0-0.

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IN RE: EDUCATION CONSENT CALENDAR: (Book 19/Page 78)

IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, APPROVING A CONTRACT WITH FOY'S ROOFING COMPANY, INC. FOR ROOF UPGRADES AT MT. OLIVE ELEMENTARY SCHOOL AND SOUTH-DOYLE HIGH SCHOOL IN THE AMOUNT OF \$485,885.00 –

R-04-5-201: (Book 19/Page 78)

Consideration of a resolution of the Commission of Knox County, Tennessee, approving a contract with Foy's Roofing Company, Inc. for roof upgrades at Mt. Olive Elementary School and South-Doyle High School in the amount of \$485,885.00 was before the Board of Commissioners.

Commissioner Harmon moved to approve Resolution R-04-5-201 - Resolution of the Commission of Knox County, Tennessee, approving a contract with Foy's Roofing Company, Inc. for roof upgrades at Mt. Olive Elementary School and South-Doyle High School in the amount of \$485,885.00. Commissioner Moody seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody,

Harmon, Guthe, Schmid, Arms, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills, Clark and Pinkston voted aye. The motion carried 19-0-0-0.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, APPROVING A CONTRACT WITH C.M. HENLEY COMPANY, LLC FOR ROOF UPGRADES AT BEARDEN MIDDLE SCHOOL IN THE AMOUNT OF \$811,058.00 – R-04-5-202: (Book 19/Page 79)

Consideration of a resolution of the Commission of Knox County, Tennessee, approving a contract with C.M. Henley Company, LLC for roof upgrades at Bearden Middle School in the amount of \$811,058.00 was before the Board of Commissioners.

Commissioner Harmon moved to approve Resolution R-04-5-202 - Resolution of the Commission of Knox County, Tennessee, approving a contract with C.M. Henley Company, LLC for roof upgrades at Bearden Middle School in the amount of \$811,058.00. Commissioner Moody seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Arms, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills, Clark and Pinkston voted aye. The motion carried 19-0-0-0.

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IN RE: RESOLUTION:

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

SCOTT DIX FOR WINNING THE 140 POUND TSSAA STATE

WRESTLING CHAMPIONSHIP – R-04-5-104: (Book 19/Page 79 & 80)

Consideration of a resolution of the Commission of Knox County, Tennessee, honoring Scott Dix for winning the 140 pound TSSAA State Wrestling Championship was before Board of Commissioners.

Commissioner Leuthold moved to approve Resolution R-04-5-104 - Resolution of the Commission of Knox County, Tennessee, honoring Scott Dix for winning the 140 pound TSSAA State Wrestling Championship. Commissioners Arms and Griess seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Arms, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills, Clark and Pinkston voted aye. The motion carried 19-0-0-0.

Mrs. Martha Beeler, Administrative Assistant to the Knox County Clerk, read the resolution into the record.

Mr. Scott Dix, along with family members, was present to accept the resolution and expressed appreciation to the Commission for the resolution.

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IN RE: CONSENT CALENDAR:

**IN RE: CONSIDERATION OF A RESOLUTION OF THE
COMMISSION OF KNOX COUNTY, TENNESSEE, HONORING
DETECTIVE HEATHER GILBERT, OFFICER BRANDON
WORKMAN, AND OFFICER JEFF HINCHEY FOR RECEIVING THE**

KNOX COUNTY SHERIFF'S OFFICER OF THE YEAR AWARD –

R-04-5-101: (Book 19/Page 80 & 81)

Consideration of a resolution of the Commission of Knox County, Tennessee, honoring Detective Heather Gilbert, Officer Brandon Workman, and Officer Jeff Hinchey for receiving the Knox County Sheriff's Officer of the Year Award was before the Board of Commissioners.

Commissioner Griess moved to approve Resolution R-04-5-101 Resolution of the Commission of Knox County, Tennessee, honoring Detective Heather Gilbert, Officer Brandon Workman, and Officer Jeff Hinchey for receiving the Knox County Sheriff's Officer of the Year Award. Commissioner Horner seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Arms, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills, Clark and Pinkston voted aye. The motion carried 19-0-0-0.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE
COMMISSION OF KNOX COUNTY, TENNESSEE,
CONGRATULATING AND PLEDGING SUPPORT TO THE 23RD
PRESIDENT OF THE UNIVERSITY OF TENNESSEE, DR. JOHN
PETERSEN – R-04-5-102: (Book 19/Page 81)

Consideration of a resolution of the Commission of Knox County, Tennessee, congratulating and pledging support to the 23rd President of the University of Tennessee, Dr. John Petersen was before the Board of Commissioners.

Commissioner Griess moved to approve Resolution R-04-5-102 Resolution of the Commission of Knox County, Tennessee, congratulating and pledging support to the 23rd President of the University of Tennessee, Dr. John Petersen. Commissioner Horner seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Arms, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills, Clark and Pinkston voted aye. The motion carried 19-0-0-0.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, HONORING BRENDA THOMAS FOR BEING NAMED TEACHER OF THE YEAR – R-04-5-103: (Book 19/Page 82)

This item was withdrawn from the agenda. (See Amendments to the Agenda, Page 77)

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IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, HONORING SCOTT DIX FOR WINNING THE 140 POUND TSSAA STATE WRESTLING CHAMPIONSHIP – R-04-5-104: (Book 19/Page 82)

This item was heard earlier on the day's agenda. (See Page 79 & 80)

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

VICTOR ASHE FOR BECOMING THE AMBASSADOR TO POLAND –

R-04-5-105: (Book 19/Page 82 & 83)

Consideration of a resolution of the Commission of Knox County, Tennessee, honoring Victor Ashe for becoming the Ambassador to Poland was before the Board of Commissioners.

Commissioner Griess moved to approve Resolution R-04-5-105 Resolution of the Commission of Knox County, Tennessee, honoring Victor Ashe for becoming the Ambassador to Poland. Commissioner Horner seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Arms, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills, Clark and Pinkston voted aye. The motion carried 19-0-0-0.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE
COMMISSION OF KNOX COUNTY, TENNESSEE, APPROPRIATING
\$424,000.00 AND APPROVING A CONTRACT WITH DANT-CLAYTON
CORPORATION FOR STADIUM UPGRADES AT WEST HIGH AND
AUSTIN EAST HIGH SCHOOLS – R-04-5-203: (Book 19/Page 83)

Consideration of a resolution of the Commission of Knox County, Tennessee, appropriating \$424,000.00 and approving a contract with Dant-Clayton Corporation for stadium upgrades at West High and Austin East High Schools was before the Board of Commissioners.

Commissioner Griess moved to approve Resolution R-04-5-203 Resolution of the Commission of Knox County, Tennessee, appropriating \$424,000.00 and approving a contract with Dant-Clayton Corporation for stadium upgrades at West High and Austin East High Schools.

Commissioner Horner seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Arms, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills, Clark and Pinkston voted aye. The motion carried 19-0-0-0.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, APPROVING THE BUDGET FOR ACCOUNT 51447-SPECIAL REVENUE DRUG FUND – R-04-5-301: (Book 19/Page 84)

Consideration of a resolution of the Commission of Knox County, Tennessee, approving the budget for Account 51447-Special Revenue Drug Fund was before the Board of Commissioners.

Commissioner Griess moved to approve Resolution R-04-5-301 Resolution of the Commission of Knox County, Tennessee, approving the budget for Account 51447-Special Revenue Drug Fund. Commissioner Horner seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Arms, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills, Clark and Pinkston voted aye. The motion carried 19-0-0-0.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, APPROVING AMENDMENT SEVEN TO GRANT Z-02-007127-00 BETWEEN THE STATE OF TENNESSEE BOARD OF PROBATION AND PAROLE

AND KNOX COUNTY ALTERNATIVE TO PRISON PROGRAM –

R-04-5-302: (Book 19/Page 84 & 85)

Consideration of a resolution of the Commission of Knox County, Tennessee, approving Amendment Seven to Grant Z-02-007127-00 between the State of Tennessee Board of Probation and Parole and Knox County Alternative to Prison Program was before the Board of Commissioners.

Commissioner Griess moved to approve Resolution R-04-5-302 Resolution of the Commission of Knox County, Tennessee, approving Amendment Seven to Grant Z-02-007127-00 between the State of Tennessee Board of Probation and Parole and Knox County Alternative to Prison Program. Commissioner Horner seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Arms, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills, Clark and Pinkston voted aye. The motion carried 19-0-0-0.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE
COMMISSION OF KNOX COUNTY, TENNESSEE, APPROVING THE
2004 ANNUAL ACTION PLAN AS PART OF THE 2002-2005 KNOX
COUNTY HOUSING AND COMMUNITY DEVELOPMENT
CONSOLIDATED PLAN – R-04-5-501: (Book 19/Page 85)

Consideration of a resolution of the Commission of Knox County, Tennessee, approving the 2004 Annual Action Plan as part of the 2002-2005 Knox County Housing and Community Development Consolidated Plan was before the Board of Commissioners.

Commissioner Griess moved to approve Resolution R-04-5-501 Resolution of the Commission of Knox County, Tennessee, approving the 2004 Annual Action Plan as part of the 2002-2005 Knox County Housing and Community Development Consolidated Plan. Commissioner Horner seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Arms, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills, Clark and Pinkston voted aye. The motion carried 19-0-0-0.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, APPROVING FOUR GRANT AGREEMENTS BETWEEN THE STATE OF TENNESSEE, DEPARTMENT OF MILITARY, TENNESSEE EMERGENCY MANAGEMENT AGENCY AND KNOX COUNTY FOR LOCAL HOMELAND SECURITY FIRST RESPONDER'S ENHANCEMENTS – R-04-5-502: (Book 19/Page 86)

Consideration of a resolution of the Commission of Knox County, Tennessee, approving four grant agreements between the State of Tennessee, Department of Military, Tennessee Emergency Management Agency and Knox County for local Homeland Security First Responder's enhancements was before the Board of Commissioners.

Commissioner Griess moved to approve Resolution R-04-5-502 Resolution of the Commission of Knox County, Tennessee, approving four grant agreements between the State of Tennessee, Department of Military, Tennessee Emergency Management Agency and Knox County for local Homeland Security First Responder's enhancements. Commissioner Horner

seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Arms, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills, Clark and Pinkston voted aye. The motion carried 19-0-0-0.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE
COMMISSION OF KNOX COUNTY, TENNESSEE, APPROVING A
GRANT AGREEMENT BETWEEN KNOX COUNTY AND THE
METROPOLITAN DRUG COMMISSION FOR THE PROVISION OF
TOBACCO PREVENTION SERVICES FOR THE PERIOD 07/01/04 –
06/30/05 IN THE AMOUNT OF \$32,000.00 – R-04-5-601: (Book 19/Page
87)

Consideration of a resolution of the Commission of Knox County, Tennessee, approving a grant agreement between Knox County and the Metropolitan Drug Commission for the provision of Tobacco Prevention Services for the period 07/01/04 – 06/30/05 in the amount of \$32,000.00 was before the Board of Commissioners.

Commissioner Griess moved to approve Resolution R-04-5-601 Resolution of the Commission of Knox County, Tennessee, approving a grant agreement between Knox County and the Metropolitan Drug Commission for the provision of Tobacco Prevention Services for the period 07/01/04 – 06/30/05 in the amount of \$32,000.00. Commissioner Horner seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Arms, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills, Clark and Pinkston voted aye. The motion carried 19-0-0-0.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, APPROVING A GRANT AGREEMENT BETWEEN KNOX COUNTY AND THE TENNESSEE DEPARTMENT OF HEALTH FOR THE PROVISION OF BIOTERRORISM SERVICES FOR THE PERIOD 7/01/04 TO 6/30/05 IN THE AMOUNT OF \$860,500.00 – R-04-5-602: (Book 19/Page 88)

Consideration of a resolution of the Commission of Knox County, Tennessee, approving a grant agreement between Knox County and the Tennessee Department of Health for the provision of bioterrorism services for the period 7/01/04 to 6/30/05 in the amount of \$860,500.00 was before the Board of Commissioners.

Commissioner Griess moved to approve Resolution R-04-5-602 Resolution of the Commission of Knox County, Tennessee, approving a grant agreement between Knox County and the Tennessee Department of Health for the provision of bioterrorism services for the period 7/01/04 to 6/30/05 in the amount of \$860,500.00. Commissioner Horner seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Arms, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills, Clark and Pinkston voted aye. The motion carried 19-0-0-0.

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

CONTRACTS WITH CHERRY, BEKAERT AND HOLLAND, L.L.P.

FOR 2003-2004 AUDITS – R-04-5-807: (Book 19/Page 88)

Consideration of a resolution of the Commission of Knox County, Tennessee, approving two contracts with Cherry, Bekaert and Holland, L.L.P. for 2003-2004 audits was before the Board of Commissioners.

Commissioner Griess moved to approve Resolution R-04-5-807 Resolution of the Commission of Knox County, Tennessee, approving two contracts with Cherry, Bekaert and Holland, L.L.P. for 2003-2004 audits.

Commissioner Horner seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Arms, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills, Clark and Pinkston voted aye. The motion carried 19-0-0-0.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE
COMMISSION OF KNOX COUNTY, TENNESSEE, APPROVING A
QUIT CLAIM DEED TO THE CITY OF KNOXVILLE FOR CERTAIN
PROPERTY LOCATED AT THE CECIL WEBB RECREATION
CENTER AND DOGWOOD ELEMENTARY SCHOOL TO CORRECT
BOUNDARY DISCREPANCIES – R-04-5-808: (Book 19/Page 89)

Consideration of a resolution of the Commission of Knox County, Tennessee, approving a Quit Claim Deed to the City of Knoxville for certain property located at the Cecil Webb Recreation Center and Dogwood Elementary School to correct boundary discrepancies was before the Board of Commissioners.

Commissioner Griess moved to approve Resolution R-04-5-808 Resolution of the Commission of Knox County, Tennessee, approving a Quit Claim Deed to the City of Knoxville for certain property located at the Cecil Webb Recreation Center and Dogwood Elementary School to correct boundary discrepancies. Commissioner Horner seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Arms, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills, Clark and Pinkston voted aye. The motion carried 19-0-0-0.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE
COMMISSION OF KNOX COUNTY, TENNESSEE, APPROVING A
GRANT AGREEMENT WITH THE EAST TENNESSEE
FOUNDATION IN THE AMOUNT OF \$4,920.00 – R-04-5-901:(Book
19/Page 90)

Consideration of a resolution of the Commission of Knox County, Tennessee, approving a Grant Agreement with the East Tennessee Foundation in the amount of \$4,920.00 was before the Board of Commissioners.

Commissioner Griess moved to approve Resolution R-04-5-901 Resolution of the Commission of Knox County, Tennessee, approving a Grant Agreement with the East Tennessee Foundation in the amount of \$4,920.00. Commissioner Horner seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Arms, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills, Clark and Pinkston voted aye. The motion carried

19-0-0-0.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, APPROVING A GRANT AGREEMENT WITH THE EAST TENNESSEE FOUNDATION IN THE AMOUNT OF \$2,100.00 – R-04-5-902: (Book 19/Page 91)

Consideration of a resolution of the Commission of Knox County, Tennessee, approving a Grant Agreement with the East Tennessee Foundation in the amount of \$2,100.00 was before the Board of Commissioners.

Commissioner Griess moved to approve Resolution R-04-5-902 Resolution of the Commission of Knox County, Tennessee, approving a Grant Agreement with the East Tennessee Foundation in the amount of \$2,100.00. Commissioner Horner seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Arms, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills, Clark and Pinkston voted aye. The motion carried

19-0-0-0.

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IN RE: APPROVAL OF MINUTES OF THE PREVIOUS MEETING: (Book 19/Page 91)

Consideration of approval of minutes of the previous meeting was before the Board of Commissioners.

Commissioner Horner moved to approve the minutes of the previous meeting. Commissioner Mills seconded the motion and upon roll

call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Arms, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills, Clark and Pinkston voted aye. The motion carried 19-0-0-0.

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IN RE: AMENDMENTS TO THE AGENDA – (CONTINUED):
(Book 19/Page 92)

7. Without objection, Commissioner Collins amended the agenda to hear the following items in the following order at this time: Resolution R-04-5-801; Resolution R-04-5-809; Resolution R-04-5-903; Resolution R-04-5-905; and Resolution R-04-5-906.

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IN RE: RESOLUTIONS:

IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, APPROVING THE DONATION OF A PARCEL OF REAL PROPERTY TO THE UNIVERSITY OF TENNESSEE – R-04-5-801: (Book 19/Page 92)

Consideration of a resolution of the Commission of Knox County, Tennessee, approving the donation of a parcel of real property to the University of Tennessee was before the Board of Commissioners.

Commissioner Guthe moved to defer to the August 2004 Board of Commissioners meeting Resolution R-04-5-801 - Resolution of the Commission of Knox County, Tennessee, approving the donation of a parcel of real property to the University of Tennessee. Commissioner Griess seconded the motion and upon roll call vote Commissioners Jordan,

Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Arms,
Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills,
Clark and Pinkston voted aye. The motion carried 19-0-0-0.

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**IN RE: CONSIDERATION OF A RESOLUTION OF THE
COMMISSION OF KNOX COUNTY, TENNESSEE, APPROVING A
QUIT CLAIM DEED TO THE CITY OF KNOXVILLE FOR DUFF
FIELD – R-04-5-809: (Book 19/Page 93)**

Consideration of a resolution of the Commission of Knox
County, Tennessee, approving a Quit Claim Deed to the City of Knoxville
for Duff Field was before the Board of Commissioners.

Commissioner Guthe moved to defer to the June 2004 Board of
Commissioners meeting Resolution R-04-5-809 - Resolution of the
Commission of Knox County, Tennessee, approving a Quit Claim Deed to
the City of Knoxville for Duff Field. Commissioner Mills seconded the
motion and upon roll call vote Commissioners Jordan, Strickland, Collins,
Tindell, Moody, Harmon, Guthe, Schmid, Arms, Leuthold, Griess, Cawood,
Stephens, Horner, Moore, McMillan, Mills, Clark and Pinkston voted aye.
The motion carried 19-0-0-0.

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**IN RE: CONSIDERATION OF A RESOLUTION OF THE
COMMISSION OF KNOX COUNTY, TENNESSEE, APPROVING
AMENDMENTS TO THE CONTRACT BETWEEN KNOX COUNTY
AND THE TOURISM AND SPORTS DEVELOPMENT CORPORATION
OF KNOXVILLE/KNOX COUNTY – R-04-5-903: (Book 19/Page 93)**

Consideration of a resolution of the Commission of Knox County, Tennessee, approving amendments to the contract between Knox County and the Tourism and Sports Development Corporation of Knoxville/Knox County was before the Board of Commissioners.

Ms. Gloria Ray, President/CEO for the Knoxville Tourism and Sports Corporation, was present and spoke on the matter.

Commissioner Mills moved to approve Resolution R-04-5-903 Resolution of the Commission of Knox County, Tennessee, approving amendments to the contract between Knox County and the Tourism and Sports Development Corporation of Knoxville/Knox County.

Commissioner Horner seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Arms, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills, Clark and Pinkston voted aye. The motion carried 19-0-0-0.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE
COMMISSION OF KNOX COUNTY, TENNESSEE, APPROVING
AMENDMENTS TO THE FRANCHISE AGREEMENT WITH
KNOLOGY – R-04-5-905: (Book 19/Page 94)

Consideration of a resolution of the Commission of Knox County, Tennessee, approving amendments to the franchise agreement with Knology was before the Board of Commissioners.

Mr. Richard Walls, Knox County Internal Auditor, Mr. John Gilmore, General Manager for Knology, and Mr. Mike Moyers, Knox County Law Director, were present and spoke on the matter.

Commissioner Clark moved to deny Resolution R-04-5-905 Resolution of the Commission of Knox County, Tennessee, approving amendments to the franchise agreement with Knology. Commissioner Guthe seconded the motion.

Commissioner Moody moved as a substitute motion to defer to the June 2004 Board of Commissioners meeting Resolution R-04-5-905 Resolution of the Commission of Knox County, Tennessee, approving amendments to the franchise agreement with Knology. Commissioner Harmon seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Schmid, Griess, Stephens, Horner, McMillan and Mills voted aye. Commissioners Guthe, Arms, Leuthold, Cawood, Moore, Clark and Pinkston voted no. The substitute motion carried 12-7-0-0.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE
COMMISSION OF KNOX COUNTY, TENNESSEE, APPROVING A
LITIGATION TAX OF \$10.00 – R-04-5-906: (Book 19/Page 95)

Consideration of a resolution of the Commission of Knox County, Tennessee, approving a litigation tax of \$10.00 was before the Board of Commissioners.

Mr. Mike Moyers, Knox County Law Director, was present and spoke on the matter.

Commissioner Griess moved to approve Resolution R-04-5-906 Resolution of the Commission of Knox County, Tennessee, approving a litigation tax of \$10.00. Commissioner Horner seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell,

Moody, Harmon, Guthe, Schmid, Arms, Leuthold, Griess, Cawood,
Stephens, Horner, Moore, McMillan, Mills, Clark and Pinkston voted aye.
The motion carried 19-0-0-0.

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IN RE: AMENDMENTS TO THE AGENDA –
(CONTINUED):(Book 19/Page 96)

8. Commissioner Collins amended the agenda to hear the
following item at this time: Ordinance O-04-5-101.

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IN RE: ORDINANCE ON FIRST READING:

IN RE: CONSIDERATION OF AN ORDINANCE OF THE
COMMISSION OF KNOX COUNTY, TENNESSEE, AMENDING
ORDINANCE 03-5-101 AND ESTABLISHING THE RATE OF THE
KNOX COUNTY VEHICLE REGISTRATION TAX – O-04-5-101A –
(FIRST READING): (Book 19/Page 96-98)

Consideration of an Ordinance of the Commission of Knox
County, Tennessee, amending Ordinance 03-5-101A and establishing the
rate of the Knox County Vehicle Registration Tax was before the Board of
Commissioners on first reading.

Mr. Mike Ragsdale, Knox County Mayor, and Mr. Mike
Moyers, Knox County Law Director, were present and spoke on the matter.

The following concerned citizens were present and spoke on the
matter: Mr. Andrew Roskin, Mr. David Massey, Mr. Chris Light, Ms.
Dolores Yoder, and Mr. Alonzo Montgomery.

Commissioner Guthe moved to approve Ordinance

O-04-5-101A - Ordinance of the Commission of Knox County, Tennessee, amending Ordinance 03-5-101 and establishing the rate of the Knox County Vehicle Registration Tax on first reading. Commissioner Schmid seconded the motion.

Commissioner Leuthold moved as an amendment Ordinance O-04-5-101A - Ordinance of the Commission of Knox County, Tennessee, amending Ordinance 03-5-101 and establishing the rate of the Knox County Vehicle Registration Tax to increase the \$30.00 fee to \$35.00.

Commissioner Tindell seconded the motion and upon roll call vote Commissioner Leuthold voted aye. Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Arms, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills, Clark and Pinkston voted no. The amendment failed 1-18-0-0.

Commissioner Leuthold moved as an amendment to Ordinance O-04-5-101A - Ordinance of the Commission of Knox County, Tennessee, amending Ordinance 03-5-101 and establishing the rate of the Knox County Vehicle Registration Tax to exempt disabled persons as defined by the property tax relief bill 100% through Social Security. Commissioner Griess seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Arms, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills, Clark and Pinkston voted aye. The amendment carried 19-0-0-0.

Commissioner Griess moved as an amendment to Ordinance O-04-5-101A - Ordinance of the Commission of Knox County, Tennessee, amending Ordinance 03-5-101 and establishing the rate of the Knox County

Vehicle Registration Tax to exempt Knox County School buses used primarily for the transportation of children to and from schools.

Commissioner Mills seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Arms, Leuthold, Griess, Cawood, Horner, McMillan, Mills, Clark and Pinkston voted aye. Commissioners Schmid, Stephens and Moore voted no. The amendment carried 16-3-0-0.

Commissioner Moody moved as an amendment to Ordinance O-04-5-101A - Ordinance of the Commission of Knox County, Tennessee, amending Ordinance 03-5-101 and establishing the rate of the Knox County Vehicle Registration Tax to include a penalty of \$50.00 if a person goes to another county to renew tags. Commissioner Griess seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Arms, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills, Clark and Pinkston voted aye. The amendment carried 19-0-0-0.

Upon roll call vote of the original motion to approve Ordinance O-04-5-101A - Ordinance of the Commission of Knox County, Tennessee, amending Ordinance 03-5-101 and establishing the rate of the Knox County Vehicle Registration Tax with the following amendments: to exempt disabled persons as defined by the property tax relief bill 100% through Social Security; to exempt Knox County School buses used primarily for the transportation of children to and from schools; and to include a penalty of \$50.00 if a person goes to another county to renew tags, Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Arms, Leuthold, Griess, Stephens, Horner, Moore, Mills and Clark voted aye.

Commissioners Cawood, McMillan and Pinkston voted no. The motion carried 16-3-0-0.

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

(Book 19/Page 99)

9. At 4:00 p.m., Commissioner Arms moved to suspend the rules and continue in session to complete all remaining business items on the day's agenda. Commissioner Schmid seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Schmid, Arms, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills, Clark and Pinkston voted aye. Commissioner Guthe voted no. The motion carried 18-1-0-0.

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IN RE: RESOLUTIONS

IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, APPROVING THE FIVE-YEAR CAPITAL PLAN FOR FISCAL YEARS 2005-2009 – R-04-5-802: (Book 19/Page 99)

Consideration of a resolution of the Commission of Knox County, Tennessee, approving the Five-Year Capital Plan for fiscal years 2005-2009 was before the Board of Commissioners.

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

The following concerned citizens were present and spoke on the matter: Ms. Natalie Hristov, Ms. Linda Phillips, Mr. Bill Snyder, Mr. Jerry Julian, Ms. Susan Blair and Mr. Gerald Clark.

Commissioner Stephens moved to approve Resolution R-04-5-802 - Resolution of the Commission of Knox County, Tennessee, approving the Five-Year Capital Plan for fiscal years 2005-2009.

Commissioner Jordan seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Arms, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills, Clark and Pinkston voted aye. The motion carried 19-0-0-0.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, ESTABLISHING A GENERAL COUNTY BUDGET AND MAKING APPROPRIATIONS FROM THE SEVERAL FUNDS FOR DEPARTMENTS, INSTITUTIONS, OFFICES AND AGENCIES OF KNOX COUNTY, TENNESSEE FOR THE FISCAL YEAR BEGINNING JULY 1, 2004 AND ENDING JUNE 30, 2005 – R-04-5-803: (Book 19/Page 100)

Consideration of a resolution of the Commission of Knox County, Tennessee, establishing a General County Budget and making appropriations from the several funds for departments, institutions, offices and agencies of Knox County, Tennessee for the fiscal year beginning July 1, 2004 and ending June 30, 2005 was before the Board of Commissioners.

Mr. Mike Ragsdale, Knox County Mayor, and Mr. John Werner, Knox County Finance Director, were present and spoke on the matter.

Commissioner Guthe moved to approve Resolution R-04-5-803 Resolution of the Commission of Knox County, Tennessee, establishing a General County Budget and making appropriations from the several funds for departments, institutions, offices and agencies of Knox County, Tennessee for the fiscal year beginning July 1, 2004 and ending June 30, 2005. Commissioner Horner seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Arms, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills, Clark and Pinkston voted aye. The motion carried 19-0-0-0.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE
COMMISSION OF KNOX COUNTY, TENNESSEE, ESTABLISHING
THE KNOX COUNTY TAX RATES FOR THE FISCAL YEAR
BEGINNING JULY 1, 2004 AND ENDING JUNE 30, 2005 – R-04-5-804:
(Book 19/Page 101)

Consideration of a resolution of the Commission of Knox County, Tennessee, establishing the Knox County tax rates for the fiscal year beginning July 1, 2004 and ending June 30, 2005 was before the Board of Commissioners.

Commissioner Guthe moved to approve Resolution R-04-5-804 Resolution of the Commission of Knox County, Tennessee, establishing the Knox County tax rates for the fiscal year beginning July 1, 2004 and ending

June 30, 2005. Commissioner Horner seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Arms, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills, Clark and Pinkston voted aye. The motion carried 19-0-0-0.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, APPROVING AN INITIAL RESOLUTION AUTHORIZING ONE OR MORE LOAN AGREEMENTS BETWEEN KNOX COUNTY, TENNESSEE AND A TENNESSEE PUBLIC BUILDING AUTHORITY IN AN AGGREGATE PRINCIPAL AMOUNT OF NOT TO EXCEED SEVENTY MILLION DOLLARS (\$70,000,000.00) – R-04-5-805: (Book 19/Page 101 & 102)

Consideration of a resolution of the Commission of Knox County, Tennessee, approving an initial resolution authorizing one or more loan agreements between Knox County, Tennessee and a Tennessee Public Building Authority in an aggregate principal amount of not to exceed seventy million dollars (\$70,000,000.00) was before the Board of Commissioners.

Commissioner Guthe moved to approve Resolution R-04-5-805 Resolution of the Commission of Knox County, Tennessee, approving an initial resolution authorizing one or more loan agreements between Knox County, Tennessee and a Tennessee Public Building Authority in an aggregate principal amount of not to exceed seventy million dollars (\$70,000,000.00). Commissioner Horner seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody,

Harmon, Guthe, Schmid, Arms, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills, Clark and Pinkston voted aye. The motion carried 19-0-0-0.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE
COMMISSION OF KNOX COUNTY, TENNESSEE, AUTHORIZING
ONE OR MORE LOANS UNDER ONE OR MORE LOAN
AGREEMENTS BETWEEN KNOX COUNTY, TENNESSEE AND A
TENNESSEE PUBLIC BUILDING AUTHORITY IN AN AGGREGATE
PRINCIPAL AMOUNT OF NOT TO EXCEED SEVENTY MILLION
DOLLARS (\$70,000,000.00) AND EXECUTION AND DELIVERY OF
ONE OF MORE LOAN AGREEMENTS AND OTHER DOCUMENTS
RELATING TO SAID BORROWING; PROVIDING FOR THE
APPLICATION OF THE PROCEEDS OF SAID BORROWING AND
THE PAYMENT OF THE COUNTY’S OBLIGATION UNDER THE
LOAN AGREEMENTS; CONSENTING TO THE ASSIGNMENT OF
THE COUNTY’S OBLIGATIONS UNDER THE LOAN AGREEMENTS;
APPROVING ONE OR MORE SWAP AGREEMENTS IN
CONNECTION WITH THE LOAN AGREEMENTS AUTHORIZED
HEREUNDER AND IN CONNECTION WITH THE SERIES C-1-A
LOAN AGREEMENT AUTHORIZING AN AMENDMENT TO THE
SERIES C-1-A LOAN AGREEMENT; AND TAKING ALL OTHER
NECESSARY ACTIONS WITH RESPECT TO THE FOREGOING –
R-04-5-806; (Book 19/Page 102-104)

Consideration of a resolution of the Commission of Knox County, Tennessee, authorizing one or more loans under one or more loan

agreements between Knox County, Tennessee and a Tennessee Public Building Authority in an aggregate principal amount of not to exceed seventy million dollars (\$70,000,000.00) and execution and delivery of one of more loan agreements and other documents relating to said borrowing; providing for the application of the proceeds of said borrowing and the payment of the County's obligation under the loan agreements; consenting to the assignment of the County's obligations under the loan agreements; approving one or more swap agreements in connection with the loan agreements authorized hereunder and in connection with the series C-1-A loan agreement authorizing an amendment to the series C-1-A loan agreement; and taking all other necessary actions with respect to the foregoing was before the Board of Commissioners.

Commissioner Guthe moved to approve Resolution R-04-5-806 Resolution of the Commission of Knox County, Tennessee, authorizing one or more loans under one or more loan agreements between Knox County, Tennessee and a Tennessee Public Building Authority in an aggregate principal amount of not to exceed seventy million dollars (\$70,000,000.00) and execution and delivery of one of more loan agreements and other documents relating to said borrowing; providing for the application of the proceeds of said borrowing and the payment of the County's obligation under the loan agreements; consenting to the assignment of the County's obligations under the loan agreements; approving one or more swap agreements in connection with the loan agreements authorized hereunder and in connection with the series C-1-A loan agreement authorizing an amendment to the series C-1-A loan agreement; and taking all other necessary actions with respect to the foregoing. Commissioner Horner

seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Arms, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills, Clark and Pinkston voted aye. The motion carried 19-0-0-0.

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IN RE: ROLL CALL – (4:50 P.M.) (Book 19/Page 104)

Mrs. Kim Ellis, Minutes Clerk to the Knox County Clerk, called the roll. Those Commissioners responding were Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills, Clark and Pinkston. Commissioner Arms arrived later in the meeting.

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IN RE: AMENDMENTS TO THE AGENDA – (CONTINUED):
(Book 19/Page 105)

10. Without objection, Commissioner Collins amended the agenda to hear the following items at this time: Rezoning Appeal 4-F-04-SP Appeal by David Berry of MPC denial of North County Sector Plan Amendment from LDR Low Density Residential Zone to C Commercial Zone, property located on the northwest side of Mynatt Road, east of Greenview Drive, Seventh Commission District; and Rezoning Appeal 4-R-04-RZ - Appeal by David Berry of MPC denial of rezoning from RA Low Density Residential Zone to CA General Business Zone, property located on the northwest side of Mynatt Road, east of Greenview Drive, Seventh Commission District.

11. Commissioner Collins amended the agenda to withdraw the following items: Zoning Request 4-E-04-SP – Request of Kevin Lynn

Wilson for Northwest County Sector Plan Amendment from TP Technology Park Zone to LDR Low Density Residential Zone, property located on the northeast side of Solway Road, northwest of George Light Road, Sixth Commission District; and Zoning Request 4-J-04-RZ – Request of Kevin Lynn Wilson for rezoning from PC Planned Commercial Zone to A Agricultural Zone, property located on the northeast side of Solway Road, northwest of George Light Road, Sixth Commission District.

12. Without objection, Commissioner Collins amended the agenda to defer the following item to the June 2004 Board of Commissioners meeting: Zoning Request 4-Y-04-RZ – Request of S & E Properties for rezoning from RA Low Density Residential Zone to PR Planned Residential Zone, property located southeast end Montacres Lane, southeast of Point Oaks Drive, Fourth Commission District.

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IN RE: REZONING APPEAL: (Book 19/Page 106)

1. Consideration of the rezoning appeal by David Berry of MPC denial of North County Sector Plan Amendment from LDR Low Density Residential Zone to C Commercial Zone was before the Board of Commissioners. Property located on the northwest side of Mynatt Road, east of Greenview Drive. Seventh Commission District. **(Book 19/Page 106)**

Mr. Ewing “Buzz” Johnson, Director of Development Services for Metropolitan Planning Commission, was present and spoke on the matter.

Mr. Mike Berry, representing David Berry, was present and spoke on behalf of the appeal.

Mr. Steve Lee, area resident, was present and spoke in opposition to the appeal.

Commissioner Horner moved to approve rezoning appeal 4-F-04-SP - Appeal by David Berry of MPC denial of North County Sector Plan Amendment from LDR Low Density Residential Zone to C Commercial Zone. Commissioner Moore seconded the motion and upon roll call vote Commissioners Tindell, Horner, Moore, McMillan and Mills voted aye. Commissioners Jordan, Strickland, Collins, Moody, Harmon, Guthe, Schmid, Leuthold, Griess, Cawood, Stephens, Clark and Pinkston voted no. Commissioner Arms arrived later in the meeting. The motion failed 5-13-0-1.

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2. Consideration of the rezoning appeal by David Berry of MPC denial of rezoning from RA Low Density Residential Zone to CA General Business Zone was before the Board of Commissioners. Property located on the northwest side of Mynatt Road, east of Greenview Drive. Seventh Commission District.*(Book 19/Page 107)*

Mr. Ewing “Buzz” Johnson, Director of Development Services for Metropolitan Planning Commission, was present and spoke on the matter.

Mr. Mike Berry, representing David Berry, was present and spoke on behalf of the appeal.

Mr. Steve Lee, area resident, was present and spoke in opposition to the appeal.

Commissioner Horner moved to approve rezoning appeal

4-R-0-RZ - Appeal by David Berry of MPC denial of rezoning from RA Low Density Residential Zone to CA General Business Zone.

Commissioner Moore seconded the motion and upon roll call vote Commissioners Tindell, Horner, Moore, McMillan and Mills voted aye. Commissioners Jordan, Strickland, Collins, Moody, Harmon, Guthe, Schmid, Leuthold, Griess, Cawood, Stephens, Clark and Pinkston voted no. Commissioner Arms arrived later in the meeting. The motion failed 5-13-0-1.

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IN RE: ZONING REQUESTS: (Book 19/Page 107-120)

1. Consideration of the request of John S. Craig for a street name change from Floribunda Lane to Autumn Rose Lane was before the Board of Commissioners. Street located between Magic Lantern Drive and end of cul-de-sac. Seventh Commission District. **(Book 19/107 & 108)**

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

Commissioner Horner moved to approve zoning request 4-A-04-SNC - Request of John S. Craig for a street name change from Floribunda Lane to Autumn Rose Lane. Commissioner Griess seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills, Clark and Pinkston voted aye. Commissioner Arms arrived later in the meeting. The motion carried 18-0-0-1. Street located between Magic Lantern Drive and end of cul-de-sac. Seventh Commission District.

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2. Consideration of the request of Advanced Home Services, LLC for a Northwest County Sector Plan Amendment from LDR Low Density Residential Zone to MDR Medium Density Residential Zone was before the Board of Commissioners. Property located on the south side of Bakertown Road, southeast of Nature Trails Boulevard. Third Commission District. (*Book 19/Page 108*)

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

Commissioner Harmon moved to approve zoning request 4-C-04-SP - Request of Advanced Home Services, LLC for a Northwest County Sector Plan Amendment from LDR Low Density Residential Zone to MDR Medium Density Residential Zone. Commissioner Moody seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Schmid, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills, Clark and Pinkston voted aye. Commissioner Guthe voted no. Commissioner Arms arrived later in the meeting. The motion carried 17-1-0-1. Property located on the south side of Bakertown Road, southeast of Nature Trails Boulevard. Third Commission District.

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3. Consideration of the request of Advanced Home Services, LLC for rezoning from A Agricultural Zone to RB General Residential was before the Board of Commissioners. Property located on the south side of Bakertown Road, southeast of Nature Trails Boulevard. Third Commission District. (*Book 19/Page 109*)

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

Commissioner Harmon moved to approve zoning request 4-E-04-RZ - Request of Advanced Home Services, LLC for rezoning from A Agricultural Zone to RB General Residential. Commissioner Moody seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Schmid, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills, Clark and Pinkston voted aye. Commissioner Guthe voted no. Commissioner Arms arrived later in the meeting. The motion carried 17-1-0-1. Property located on the south side of Bakertown Road, southeast of Nature Trails Boulevard. Third Commission District.

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4. Consideration the request of Janet P. King for a Northeast County Sector Plan Amendment from BP Business Park Zone to LDR Low Density Residential Zone was before the Board of Commissioners. Property located on the south side of Johnson Road, southwest of Andrew Johnson Highway. Eighth Commission District. (*Book 19/Page 110*)

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

Commissioner Mills moved to approve zoning request 4-D-0-SP – Request of Janet P. King for a Northeast County Sector Plan Amendment from BP Business Park Zone to LDR Low Density Residential Zone as per MPC’s recommendation. Commissioner McMillan seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Leuthold, Griess,

Cawood, Stephens, Horner, Moore, McMillan, Mills, Clark and Pinkston voted aye. Commissioner Arms arrived later in the meeting. The motion carried 18-0-0-1. Property located on the south side of Johnson Road, southwest of Andrew Johnson Highway. Eighth Commission District.

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5. Consideration of the request of Janet P. King for rezoning from A Agricultural zone to PR Planned Residential Zone was before the Board of Commissioners. Property located on the south side of Johnson Road, southwest of Andrew Johnson Highway. Eighth Commission District.

(Book 19/Page 110 & 111)

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

Commissioner Mills moved to approve zoning request 4-F-04-RZ – Request of Janet P. King for rezoning from A Agricultural zone to PR Planned Residential Zone at a density of 1 to 3 dwelling units per acre as per MPC’s recommendation. Commissioner McMillan seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills, Clark and Pinkston voted aye. Commissioner Arms arrived later in the meeting. The motion carried 18-0-0-1. Property located on the south side of Johnson Road, southwest of Andrew Johnson Highway. Eighth Commission District.

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6. Consideration of the request of Dead Horse Lake Development, LLC for rezoning from PC Planned Commercial/TO Technology Overlay Zone to CB Business and Manufacturing/TO Technology Overlay Zone was before the Board of Commissioners. Property located on the northeast side of Sellers Lane, east of Sherrill Boulevard. Fifth Commission District. (*Book 19/Page 111*)

Mr. Ewing “Buzz” Johnson, Director of Development Services for Metropolitan Planning Commission, was present and spoke on the matter.

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

Commissioner Leuthold moved to approve zoning request 4-H-04-RZ – Request of Dead Horse Lake Development, LLC for rezoning from PC Planned Commercial/TO Technology Overlay Zone to CB Business and Manufacturing/TO Technology Overlay Zone as per MPC’s recommendation. Commissioner Guthe seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills, Clark and Pinkston voted aye. Commissioner Arms arrived later in the meeting. The motion carried 18-0-0-1. Property located on the northeast side of Sellers Lane, east of Sherrill Boulevard. Fifth Commission District.

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7. Consideration of the request of B & J Enterprises for rezoning from A Agricultural Zone to PR Planned Residential Zone was before the Board of Commissioners. Property located on the southwest side

of Harris Road, north of Millertown Pike. Eighth Commission District.*(Book 19/Page 112)*

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

Commissioner Mills moved to approve zoning request 4-I-04-RZ – Request of B & J Enterprises for rezoning from A Agricultural Zone to PR Planned Residential Zone at a density of 1 to 4 dwelling units per acre as per MPC’s recommendation. Commissioner McMillan seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills, Clark and Pinkston voted aye. Commissioner Arms arrived later in the meeting. The motion carried 18-0-0-1. Property located on the southwest side of Harris Road, north of Millertown Pike. Eighth Commission District.

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8. Consideration of the request of Kevin Lynn Wilson for Northwest County Sector Plan Amendment from TP Technology Park Zone to LDR Low Density Residential Zone was before the Board of Commissioners.*(Book 19/Page 113)*

This item was withdrawn from the agenda. (See Amendments to the Agenda, Page 105).

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9. Consideration of the request of Kevin Lynn Wilson for rezoning from PC Planned Commercial Zone to A Agricultural Zone was before the Board of Commissioners. *(Book 19/Page 113)*

This item was withdrawn from the agenda. (See Amendments to the Agenda, Page 105).

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10. Consideration of the request of Eagle Bend Realty, LLC for rezoning from RB General Residential Zone to PR Planned Residential Zone was before the Board of Commissioners. Property located on the south side of Pine Grove Road, west of Strawberry Plains Pike. Eighth Commission District.*(Book 19/Page 113)*

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

Commissioner McMillan moved to approve zoning request 4-L-04-RZ – Request of Eagle Bend Realty, LLC for rezoning from RB General Residential Zone to PR Planned Residential Zone at a density of 1 to 8 dwelling units per acre as per MPC’s recommendation. Commissioner Mills seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills, Clark and Pinkston voted aye. Commissioner Arms arrived later in the meeting. The motion carried 18-0-0-1. Property located on the south side of Pine Grove Road, west of Strawberry Plains Pike. Eighth Commission District.

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11. Consideration of the request of Calvin L. Greene for rezoning from A Agricultural Zone to OB Office, Medical and Related Services for the front 300 feet and PR Planned Residential Zone for the remainder was before the Board of Commissioners. Property located on the

northwest side of Strawberry Plains Pike, southwest of Pine Grove Road.

Eighth Commission District. (*Book 19/Page 114*)

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

Commissioner Mills moved to approve zoning request 4-Q-04-RZ – Request of Calvin L. Greene for rezoning from A Agricultural Zone to OB Office, Medical and Related Services for the front 300 feet and PR Planned Residential Zone at a density of 1 to 12 dwelling units per acre for the remainder as per MPC’s recommendation. Commissioner McMillan seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Arms, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills, Clark and Pinkston voted aye. The motion carried 19-0-0-0. Property located on the northwest side of Strawberry Plains Pike, southwest of Pine Grove Road. Eighth Commission District.

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12. Consideration of the request of Terry Patton for rezoning from A Agricultural Zone to PR Planned Residential Zone was before the Board of Commissioners. Property located on the southeast side of Ball Camp Pike, southwest of Bakertown Road. Sixth Commission District. (*Book 19/Page 115*)

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

Commissioner Cawood moved to approve zoning request 4-U-04-RZ – Request of Terry Patton for rezoning from A Agricultural Zone to PR Planned Residential Zone at a density of 1 to 3 dwelling units per acre

as per MPC's recommendation. Commissioner Stephens seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Arms, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills, Clark and Pinkston voted aye. The motion carried 19-0-0-0. Property located on the southeast side of Ball Camp Pike, southwest of Bakertown Road. Sixth Commission District.

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13. Consideration of the request of Travis Fuller for rezoning from A Agricultural Zone to PR Planned Residential Zone was before the Board of Commissioners. Property located on the west side of Wallace Road, south of Nubbin Ridge Road. Fourth Commission District. (***Book 19/Page 115***)

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

Commissioner Guthe moved to approve zoning request 4-V-04-RZ – Request of Travis Fuller for rezoning from A Agricultural Zone to PR Planned Residential Zone at a density of 1 to 3.6 dwelling units per acre as per MPC's recommendation. Commissioner Schmid seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Arms, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills, Clark and Pinkston voted aye. The motion carried 19-0-0-0. Property located on the west side of Wallace Road, south of Nubbin Ridge Road. Fourth Commission District.

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14. Consideration of the request of Victor Jernigan for rezoning from RA Low Density Residential Zone to PR Planned Residential Zone was before the Board of Commissioners. Property located on the east side of Washington Pike, north of Edmondson Lane. Eighth Commission District.*(Book 19/Page 116)*

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

Commissioner McMillan moved to approve zoning request 4-X-04-RZ – Request of Victor Jernigan for rezoning from RA Low Density Residential Zone to PR Planned Residential Zone at a density of 1 to 5 dwelling units per acre as per MPC’s recommendation. Commissioner Mills seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Arms, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills, Clark and Pinkston voted aye. The motion carried 19-0-0-0. Property located on the east side of Washington Pike, north of Edmondson Lane. Eighth Commission District.

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15. Consideration of the request of S & E Properties for rezoning from RA Low Density Residential Zone to PR Planned Residential Zone was before the Board of Commissioners. *(Book 19/Page 117)*

This item was deferred to the June 2004 Board of Commissioners meeting. (See Amendments to the Agenda, Page 105)

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16. Consideration of the request of Wallace R. Flynn for a Northwest County Sector Plan Amendment from A Agricultural/RR Rural

Residential and Slope Protection Zone to C Commercial (limited to CR Rural Commercial zoning) and Slope Protection Zone was before the Board of Commissioners. Property located on the northwest side of Yarnell Road, southwest of Marietta Church Road. Sixth Commission District. (*Book 19/Page 117*)

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

Commissioner Cawood moved to approve zoning request 3-B-04-SP – Request of Wallace R. Flynn for a Northwest County Sector Plan Amendment from A/RR Agricultural/Rural Residential and Slope Protection Zone to C Commercial for a portion of the site as per MPC’s recommendation. Commissioner Stephens seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Arms, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills, Clark and Pinkston voted aye. The motion carried 19-0-0-0. Property located on the northwest side of Yarnell Road, southwest of Marietta Church Road. Sixth Commission District.

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17. Consideration of the request of Wallace R. Flynn for rezoning from A Agricultural Zone to CR Rural Commercial and a permitted use determination was before the Board of Commissioners. Property located on the northwest side of Yarnell Road, southwest of Marietta Church Road. Sixth Commission District. (*Book 19/Page 118*)

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

Commissioner Cawood moved to approve zoning request

4-AA-04-RZ – Request of Wallace R. Flynn for rezoning from A Agricultural Zone to CR Rural Commercial for an auto repair business subject to 4 conditions as per MPC’s recommendation. Commissioner Stephens seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Arms, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills, Clark and Pinkston voted aye. The motion carried 19-0-0-0. Property located on the northwest side of Yarnell Road, southwest of Marietta Church Road. Sixth Commission District.

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18. Consideration of the request of Kelley Bloomer for rezoning from RA Low Density Residential Zone to A Agricultural Zone was before the Board of Commissioners. Property located on the south side of West Emory Road, west of Tamron Way. Sixth Commission District.

(Book 19/Page 118)

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

Commissioner Stephens moved to approve zoning request 4-BB-04-RZ – Request of Kelley Bloomer for rezoning from RA Low Density Residential Zone to A Agricultural Zone as per MPC’s recommendation. Commissioner Cawood seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Arms, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills, Clark and Pinkston voted aye. The motion

carried 19-0-0-0. Property located on the south side of West Emory Road, west of Tamron Way. Sixth Commission District.

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19. Consideration of the request of Harley E. Bittle for a Northwest County Sector Plan Amendment from O Office, LDR Low Density Residential and SP Slope Protection Zone to GC General Commercial, O Office and SP Slope Protection Zone was before the Board of Commissioners. Property located on the south side of Hardin Valley Road, southeast of Reagan Road. Sixth Commission District. (*Book 19/Page 119*)

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

Commissioner Cawood moved to approve zoning request 4-G-04-SP – Request of Harley E. Bittle for a Northwest County Sector Plan Amendment from O Office, LDR Low Density Residential and SP Slope Protection Zone to GC General Commercial on the front and O Office and SP Slope Protection Zone in the rear as per MPC’s recommendation. Commissioner Stephens seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Arms, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills, Clark and Pinkston voted aye. The motion carried 19-0-0-0. Property located on the south side of Hardin Valley Road, southeast of Reagan Road. Sixth Commission District.

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20. Consideration of the request of Harley E. Bittle for rezoning from OA Office Park and A Agricultural Zone to CA General

Business and OA Office Park Zone was before the Board of Commissioners. Property located on the south side of Hardin Valley Road, southeast of Reagan Road. Sixth Commission District. (*Book 19/Page 120*)

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

Commissioner Cawood moved to approve zoning request 4-CC-04-RZ – Request of Harley E. Bittle for rezoning from OA Office Park and A Agricultural Zone to CA General Business on the front parcel and OA Office Park Zone on rear parcel as per MPC’s recommendation. Commissioner Stephens seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Arms, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills, Clark and Pinkston voted aye. The motion carried 19-0-0-0. Property located on the south side of Hardin Valley Road, southeast of Reagan Road. Sixth Commission District.

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IN RE: REZONING APPEALS (*Book 19/Page 120*)

1. Consideration of the rezoning appeal by David Berry of MPC denial of North County Sector Plan Amendment from LDR Low Density Residential Zone to C Commercial Zone was before the Board of Commissioners. (*Book 19/Page 120 & 121*)

This item was heard earlier on the day’s agenda. (See Page 105)

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2. Consideration of the rezoning appeal by David Berry of MPC denial of rezoning from RA Low Density Residential Zone to CA

General Business Zone was before the Board of Commissioners. (*Book 19/Page 121*)

This item was heard earlier on the day's agenda. (See Page 105)

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IN RE: AMENDMENTS TO THE KNOX COUNTY ZONING

ORDINANCE: (Book 19/Page 121)

IN RE: CONSIDERATION OF AN ORDINANCE OF THE

COMMISSION OF KNOX COUNTY, TENNESSEE, AMENDING THE

KNOX COUNTY ZONING ORDINANCE REGULATING

METHADONE TREATMENT CLINICS AND RELATED ZONING

ORDINANCE SECTIONS – O-04-4-101 – (SECOND READING): (Book

19/Page 121)

Consideration of an Ordinance of the Commission of Knox County, Tennessee, amending the Knox County Zoning Ordinance regulating methadone treatment clinics and related zoning ordinance sections was before the Board of Commissioners on second reading.

Commissioner Guthe moved to approve Ordinance O-04-4-101 Ordinance of the Commission of Knox County, Tennessee, amending the Knox County Zoning Ordinance regulating methadone treatment clinics and related zoning ordinance sections on second reading. Commissioner Harmon seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Arms, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills, Clark and Pinkston voted aye. The motion carried 19-0-0-0.

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IN RE: ROLL CALL BY DISTRICTS: (Book 19/Page 122)

Commissioner Collins dispensed with roll call by districts and called for adjournment.

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IN RE: ADJOURNMENT: (Book 19/Page 122)

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

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KNOX COUNTY BOARD OF COMMISSIONERS

DAVID COLLINS, CHAIRMAN

KNOX COUNTY BOARD OF COMMISSIONERS

The Knox County Board of Commissioners met in Regular Session on Monday, June 28, 2004 in the Main Assembly Room of the City-County Building, Main Avenue. Those members present were Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Arms, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills, Clark and Pinkston. Also present were Mr. Mike Ragsdale, Knox County Mayor, Mr. Mike Moyers, Knox County Law Director, Mr. Mike Padgett, Knox County Clerk, Mr. John Werner, Director, Knox County Finance, Mr. John Owings, Chief Deputy Law Director and news media.

Commissioner Collins, Chairman, presided.

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

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IN RE: ROLL CALL: (Book 19, Pg. 126)

Mrs. Martha Beeler, Administrative Assistance to Knox County Clerk Mike Padgett called the roll.

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IN RE: DEVOTIONAL: (Book 19, Pg. 126)

Reverend Charles Lynch, North Acres Baptist Church gave the devotional.

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IN RE: PLEDGE OF ALLEGIANCE TO THE FLAG: (Book 19, Pg. 126 & 127)

Commissioner Thomas Strickland led the Pledge of Allegiance to the Flag.

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IN RE: AMENDMENTS TO THE AGENDA: (Book 19, Pgs. 127-128)

Without objection, Commissioner Collins amended the agenda as follows:

1. Add R-04-6-910 – Resolution of an Agreement between the City and County on State Street Property.

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2. Defer to the July Board of Commissioners meeting R-04-6-102 Resolution honoring Robert Locke, Jr.

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3. Add to the consent agenda and move R-04-6-103 – Resolution memorializing Crown College students Johnathan Pinkerton, David Childers, Aaron Brown, Darci Brown and Brad Askew to top of the agenda.

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4. Add R-04-6-414 – Resolution appropriating \$130,000.00 and approving a construction contract with Best Development and Construction Corporation for construction of Knox County body shop and paint booth to the consent calendar.

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5. Add R-04-6-105 – Resolution honoring William Tallent Charles Burchett and H. C. Sumter for their service on the Library Board of Trustees.

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6. Add R-04-6-104 – Resolution memorializing President Ronald

Reagan.

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7. Add R-04-6-909 – Resolution encouraging the State of Tennessee to adopt Marble Springs as a State Park.

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8. Add R-04-6-111 – Resolution appointing Tim Sykes to the Public Building Authority Board.

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9. Move from the consent to the regular agenda R-04-6-101 – Resolution honoring Vickie Pyles for being named TAMS East Tennessee Educator of the Year.

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IN RE: CONSENT ITEMS: (Book 19, Pg. 128)

Tax Refunds:

No tax refunds received.

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Notary Public Application:

228 Notary Public Applications received.

Commissioner Griess moved to approve the Consent Items.

Commissioner Horner seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Arms, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills and Pinkston voted aye. The motion carried 18-0-0-1. Commissioner Clark was absent from the vote.

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

**CROWN COLLEGE STUDENTS JOHNATHAN PINKERTON, DAVID
CHILDERS, AARON BROWN, DARCI BROWN AND BRAD ASKEW:
R-04-6-103: (Book 19, Pgs. 128 & 129)**

Consideration of a Resolution of the Commission of Knox County, Tennessee memorializing Crown College Students Johnathan Pinkerton, David Childers, Aaron Brown, Darci Brown and Brad Askew was before the Board of Commissioners.

Mr. Dave Rosser, representing Crown College, was present and spoke on the matter.

Commissioners Cawood and Stephens moved to approve R-04-6-103 – Consideration of a Resolution of the Commission of Knox County, Tennessee memorializing Crown College Students Johnathan Pinkerton, David Childers, Aaron Brown, Darci Brown and Brad Askew. All Commissioners seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Arms, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills and Pinkston voted aye. The motion carried 18-0-0-1. Commissioner Clark was absent from the vote.

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**IN RE: CONSIDERATION OF A RESOLUTION OF THE
COMMISSION OF KNOX COUNTY, TENNESSEE HONORING
VICKIE PYLES FOR BEING NAMED TAMS EAST TENNESSEE
EDUCATOR OF THE YEAR: R-04-6-101: (Book 19, Pgs. 129 & 130)**

Consideration of a Resolution of the Commission of Knox County, Tennessee honoring Vickie Pyles for being named TAMS East Tennessee Educator of the Year was before the Board of Commissioners.

Ms. Vickie Pyles was present and spoke on the matter.

Commissioner Moody moved to approve R-04-6-101 – Consideration of a Resolution of the Commission of Knox County, Tennessee honoring Vickie Pyles for being named TAMS East Tennessee Educator of the Year. Commissioner Harmon seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Arms, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills and Pinkston voted aye. The motion carried 18-0-0-1. Commissioner Clark was absent from the vote.

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IN RE: EDUCATION CONSENT CALENDAR:

IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE APPROVING A CONTRACT WITH HENLEY ROOFING COMPANY, INC. FOR ROOF UPGRADES AT STERCHI ELEMENTARY SCHOOL AND INSKIP ELEMENTARY SCHOOL IN THE AMOUNT OF \$328,085.00:
R-04-6-201: (Book 19, Pgs. 130 & 131)

Consideration of a Resolution of the Commission of Knox County, Tennessee approving a contract with Henley Roofing Company, Inc. for roof upgrades at Sterchi Elementary School and Inskip Elementary School in the amount of \$328,085.00 was before the Board of Commissioners.

There was a motion to approve R-04-6-201 – Consideration of a Resolution of the Commission of Knox County, Tennessee approving a contract with Henley Roofing Company, Inc. for roof upgrades at Sterchi Elementary School and Inskip Elementary School in the amount of \$328,085.00. It was seconded and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Arms,

Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills and Pinkston voted aye. The motion carried 18-0-0-1. Commissioner Clark was absent from the vote.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE
COMMISSION OF KNOX COUNTY, TENNESSEE APPROVING A
CONTRACT WITH HENLEY ROOFING COMPANY, INC. FOR ROOF
UPGRADES AT NORWOOD ELEMENTARY SCHOOL IN THE
AMOUNT OF \$240,985.00: R-04-6-202: (Book 19, Pg. 131)

Consideration of a Resolution of the Commission of Knox County, Tennessee approving a contract with Henley Roofing Company, Inc. for roof upgrades at Norwood Elementary School in the amount of \$240,985.00 was before the Board of Commissioners.

There was a motion to approve R-04-6-202 – Consideration of a Resolution of the Commission of Knox County, Tennessee approving a contract with Henley Roofing Company, Inc. for roof upgrades at Norwood Elementary School in the amount of \$240,985.00. It was seconded and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Arms, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills and Pinkston voted aye. The motion carried 18-0-0-1. Commissioner Clark was absent from the vote.

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IN RE: CONSENT CALENDAR:
IN RE: CONSIDERATION OF A RESOLUTION OF THE
COMMISSION OF KNOX COUNTY, TENNESSEE MEMORIALIZING
PRESIDENT RONALD REAGAN: R-04-6-104: (Book 19, Pgs. 131 &
132)

Consideration of a Resolution of the Commission of Knox County, Tennessee memorializing President Ronald Reagan was before the Board of Commissioners.

Commissioner Griess moved to approve R-04-6-104 – Consideration of a Resolution of the Commission of Knox County, Tennessee memorializing President Ronald Reagan. Commissioner Horner seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Arms, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills and Pinkston voted aye. The motion carried 18-0-0-1. Commissioner Clark was absent from the vote.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE HONORING WILLIAM TALLENT, CHARLES BURCHETT AND H. C. SUMTER FOR THEIR SERVICE ON THE LIBRARY BOARD OF TRUSTEES: R-04-6-105: (Book 19, Pgs. 132 & 133)

Consideration of a Resolution of the Commission of Knox County, Tennessee honoring William Tallent, Charles Burchett and H. C. Sumter for their service on the Library Board of Trustees was before the Board of Commissioners.

Commissioner Griess moved to approve R-04-6-105 – Consideration of a Resolution of the Commission of Knox County, Tennessee honoring William Tallent, Charles Burchett and H. C. Sumter for their service on the Library Board of Trustees. Commissioner Horner seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Arms,

Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills and Pinkston voted aye. The motion carried 18-0-0-1. Commissioner Clark was absent from the vote.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE
COMMISSION OF KNOX COUNTY, TENNESSEE APPROVING A
GRANT AGREEMENT WITH THE STATE OF TENNESSEE IN THE
AMOUNT OF \$22,000.00 TO IMPROVE LIBRARY SERVICES FOR
DISADVANTAGED INDIVIDUALS: R-04-6-203: (Book 19, Pg. 133)

Consideration of a Resolution of the Commission of Knox County, Tennessee approving a grant agreement with the State of Tennessee in the amount of \$22,000.00 to improve library services for disadvantaged individuals was before the Board of Commissioners.

Commissioner Griess moved to approve R-04-6-203 – Consideration of a Resolution of the Commission of Knox County, Tennessee approving a grant agreement with the State of Tennessee in the amount of \$22,000.00 to improve library services for disadvantaged individuals. Commissioner Horner seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Arms, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills and Pinkston voted aye. The motion carried 18-0-0-1. Commissioner Clark was absent from the vote.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE
COMMISSION OF KNOX COUNTY, TENNESSEE APPROVING A
GRANT AGREEMENT WITH THE JANE PETTWAY FOUNDATION

**IN THE AMOUNT OF \$16,880.00 FOR A SERIES OF INTERACTIVE
WORKSHOPS AND PROGRAMS GEARED FOR YOUNG PEOPLE:**

R-04-6-204: (Book 19, Pgs. 133 & 134)

Consideration of a Resolution of the Commission of Knox County, Tennessee approving a grant agreement with the Jane Pettway Foundation in the amount of \$16,880.00 for a series of interactive workshops and programs geared for young people was before the Board of Commissioners.

Commissioner Griess moved to approve R-04-6-204 – Consideration of a Resolution of the Commission of Knox County, Tennessee approving a grant agreement with the Jane Pettway Foundation in the amount of \$16,880.00 for a series of interactive workshops and programs geared for young people. Commissioner Horner seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Arms, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills and Pinkston voted aye. The motion carried 18-0-0-1. Commissioner Clark was absent from the vote.

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**IN RE: CONSIDERATION OF A RESOLUTION OF THE
COMMISSION OF KNOX COUNTY, TENNESSEE APPROVING TWO
LEASE AGREEMENTS WITH MCNAUGHTON BOOK SERVICE FOR
LEASED BOOK SERVICES: R-04-6-205: (Book 19, Pgs. 134 & 135)**

Consideration of a Resolution of the Commission of Knox County, Tennessee approving two lease agreements with McNaughton Book Service for leased book services was before the Board of Commissioners.

Commissioner Griess moved to approve R-04-6-205 – Consideration of a Resolution of the Commission of Knox County,

Tennessee approving two lease agreements with McNaughton Book Service for leased book services. Commissioner Horner seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Arms, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills and Pinkston voted aye. The motion carried 18-0-0-1. Commissioner Clark was absent from the vote.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE
COMMISSION OF KNOX COUNTY, TENNESSEE APPROVING A
GRANT AGREEMENT WITH THE STATE OF TENNESSEE IN THE
AMOUNT OF \$87,000.00 FOR THE PROVISION OF PERSONAL
COMPUTERS AND/OR LIBRARY MANAGEMENT SOFTWARE:
R-04-6-206: (Book 19, Pg. 135)

Consideration of a Resolution of the Commission of Knox County, Tennessee approving a grant agreement with the State of Tennessee in the amount of \$87,000.00 for the provision of personal computers and/or library management software was before the Board of Commissioners.

Commissioner Griess moved to approve R-04-6-206 – Consideration of a Resolution of the Commission of Knox County, Tennessee approving a grant agreement with the State of Tennessee in the amount of \$87,000.00 for the provision of personal computers and/or library management software. Commissioner Horner seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Arms, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills and Pinkston voted aye. The motion carried 18-0-0-1. Commissioner Clark was absent from the vote.

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**IN RE: CONSIDERATION OF A RESOLUTION OF THE
COMMISSION OF KNOX COUNTY, TENNESSEE APPROPRIATING
\$404,000.00 AND APPROVING A CONSTRUCTION CONTRACT WITH
DESIGN AND CONSTRUCTION SERVICES, INC. FOR MARYVILLE
PIKE AND MALONEY ROAD IMPROVEMENT PROJECT:**

R-04-6-401: (Book 19, Pg. 136)

Consideration of a Resolution of the Commission of Knox County, Tennessee appropriating \$404,000.00 and approving a construction contract with Design and Construction Services, Inc. for Maryville Pike and Maloney Road improvement project was before the Board of Commissioners.

Commissioner Griess moved to approve R-04-6-401 – Consideration of a Resolution of the Commission of Knox County, Tennessee appropriating \$404,000.00 and approving a construction contract with Design and Construction Services, Inc. for Maryville Pike and Maloney Road improvement project. Commissioner Horner seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Arms, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills and Pinkston voted aye. The motion carried 18-0-0-1. Commissioner Clark was absent from the vote.

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**IN RE: CONSIDERATION OF A RESOLUTION OF THE
COMMISSION OF KNOX COUNTY, TENNESSEE APPROPRIATING
\$15,000.00 FOR KNOX LAND AND WATER CONSERVANCY IN
SUPPORT OF BEAVER CREEK OPEN SPACE WATERSHED PLAN:**

R-04-6-402: (Book 19, Pgs. 136 & 137)

Consideration of a Resolution of the Commission of Knox County, Tennessee appropriating \$15,000.00 for Knox Land and Water Conservancy in support of Beaver Creek Open Space Watershed Plan was before the Board of Commissioners.

Commissioner Griess moved to approve R-04-6-402 – Consideration of a Resolution of the Commission of Knox County, Tennessee appropriating \$15,000.00 for Knox Land and Water Conservancy in support of Beaver Creek Open Space Watershed Plan. Commissioner Horner seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Arms, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills and Pinkston voted aye. The motion carried 18-0-0-1. Commissioner Clark was absent from the vote.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE APPROPRIATING \$25,000.00 FOR SUPPORT OF INTERNSHIP PROGRAM WITH THE UNIVERSITY OF TENNESSEE: R-04-6-403: (Book 19, Pgs. 137 & 138)

Consideration of a Resolution of the Commission of Knox County, Tennessee appropriating \$25,000.00 for support of internship program with the University of Tennessee was before the Board of Commissioners.

Commissioner Griess moved to approve R-04-6-403 – Consideration of a Resolution of the Commission of Knox County, Tennessee appropriating \$25,000.00 for support of internship program with the University of Tennessee. Commissioner Horner seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell,

Moody, Harmon, Guthe, Schmid, Arms, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills and Pinkston voted aye. The motion carried 18-0-0-1. Commissioner Clark was absent from the vote.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE
COMMISSION OF KNOX COUNTY, TENNESSEE APPROPRIATING
\$50,000.00 FOR WATER QUALITY IMPROVEMENTS FOR KNOX
COUNTY FACILITIES: R-04-6-404: (Book 19, Pg. 138)

Consideration of a Resolution of the Commission of Knox County, Tennessee appropriating \$50,000.00 for water quality improvements for Knox County facilities was before the Board of Commissioners.

Commissioner Griess moved to approve R-04-6-404 – Consideration of a Resolution of the Commission of Knox County, Tennessee appropriating \$50,000.00 for water quality improvements for Knox County facilities. Commissioner Horner seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Arms, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills and Pinkston voted aye. The motion carried 18-0-0-1. Commissioner Clark was absent from the vote.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE
COMMISSION OF KNOX COUNTY, TENNESSEE APPROPRIATING
\$15,000.00 IN SUPPORT OF STOCK CREEK POLLUTION
ASSESSMENT: R-04-6-405: (Book 19, Pgs. 138 & 139)

Consideration of a Resolution of the Commission of Knox County, Tennessee appropriating \$15,000.00 in support of Stock Creek pollution assessment was before the Board of Commissioners.

Commissioner Griess moved to approve R-04-6-405 – Consideration of a Resolution of the Commission of Knox County, Tennessee appropriating \$15,000.00 in support of Stock Creek pollution assessment. Commissioner Horner seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Arms, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills and Pinkston voted aye. The motion carried 18-0-0-1. Commissioner Clark was absent from the vote.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE APPROPRIATING \$25,000.00 FOR EQUIPMENT TO SUPPORT EPA MANDATED STORMWATER SYSTEM ASSESSMENT THROUGH CONTRACTED SERVICES FOR DATA ACQUISITION, PLANNING, AND DATABASE DEVELOPMENT OF FIELD EQUIPMENT: R-04-6-406: (Book 19, Pgs. 139 & 140)

Consideration of a Resolution of the Commission of Knox County, Tennessee appropriating \$25,000.00 for equipment to support EPA mandated stormwater system assessment through contracted services for data acquisition, planning, and database development of field equipment was before the Board of Commissioners.

Commissioner Griess moved to approve R-04-6-406 – Consideration of a Resolution of the Commission of Knox County, Tennessee appropriating \$25,000.00 for equipment to support EPA

mandated stormwater system assessment through contracted services for data acquisition, planning, and database development of field equipment.

Commissioner Horner seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Arms, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills and Pinkston voted aye. The motion carried 18-0-0-1. Commissioner Clark was absent from the vote.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE APPROPRIATING \$10,000.00 FOR PRINTING, SIGNS, SAFETY EQUIPMENT, AND EDUCATIONAL MATERIALS IN SUPPORT OF THE ADOPT A STREAM PROGRAM: R-04-6-408: (Book 19, Pg. 140)

Consideration of a Resolution of the Commission of Knox County, Tennessee appropriating \$10,000.00 for printing, signs, safety equipment, and educational materials in support of the Adopt a Stream Program was before the Board of Commissioners.

Commissioner Griess moved to approve R-04-6-408 – Consideration of a Resolution of the Commission of Knox County, Tennessee appropriating \$10,000.00 for printing, signs, safety equipment and educational materials in support of the Adopt A Stream Program. Commissioner Horner seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Arms, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills and Pinkston voted aye. The motion carried 18-0-0-1. Commissioner Clark was absent from the vote.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE APPROPRIATING \$10,000.00 FOR CONTRACTED SERVICES IN SUPPORT OF THE ENVIRONMENTAL STEWARDSHIP PROGRAM: R-04-6-409: (Book 19, Pg. 141)

Consideration of a Resolution of the Commission of Knox County, Tennessee appropriating \$10,000.00 for contracted services in support of the Environmental Stewardship Program was before the Board of Commissioners.

Commissioner Griess moved to approve R-04-6-409 – Consideration of a Resolution of the Commission of Knox County, Tennessee appropriating \$10,000.00 for contracted services in support of the Environmental Stewardship Program. Commissioner Horner seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Arms, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills and Pinkston voted aye. The motion carried 18-0-0-1. Commissioner Clark was absent from the vote.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE APPROPRIATING \$115,096.00 FOR CONSTRUCTION OF BRIDGE ON CENTRAL PIKE OVER KNOB CREEK: R-04-6-410: (Book 19, Pgs. 141 & 142)

Consideration of a Resolution of the Commission of Knox County, Tennessee appropriating \$115,096.00 for construction of bridge on Central Pike over Knob Creek was before the Board of Commissioners.

Commissioner Griess moved to approve R-04-6-410 – Consideration of a Resolution of the Commission of Knox County,

Tennessee appropriating \$115,096.00 for construction of bridge on Central Pike over Knob Creek. Commissioner Horner seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Arms, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills and Pinkston voted aye. The motion carried 18-0-0-1. Commissioner Clark was absent from the vote.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE
COMMISSION OF KNOX COUNTY, TENNESSEE APPROPRIATING
\$120,000.00 FOR TRAFFIC SIGNAL AND CONCRETE PAVING FOR
BOTH EAST AND WEST RAMP AT I-40 AND WATT ROAD
INTERCHANGE: R-04-6-411: (Book 19, Pg. 142)

Consideration of a Resolution of the Commission of Knox County, Tennessee appropriating \$120,000.00 for traffic signal and concrete paving for both east and west ramp at I-40 and Watt Road interchange was before the Board of Commissioners.

Commissioner Griess moved to approve R-04-6-411 – Consideration of a Resolution of the Commission of Knox County, Tennessee appropriating \$120,000.00 for traffic signal and concrete paving for both east and west ramp at I-40 and Watt Road interchange.

Commissioner Horner seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Arms, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills and Pinkston voted aye. The motion carried 18-0-0-1. Commissioner Clark was absent from the vote.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE
COMMISSION OF KNOX COUNTY, TENNESSEE APPROPRIATING
\$1,370,458.88 AND APPROVAL OF CONSTRUCTION CONTRACT
WITH RENFRO CONSTRUCTION COMPANY, INC. FOR
WASHINGTON PIKE ROAD IMPROVEMENT PROJECT:
R-04-6-412: (Book 19, Pg. 142 & 143)

Consideration of a Resolution of the Commission of Knox County, Tennessee appropriating \$1,370,458.88 and approval of construction contract with Renfro Construction Company, Inc. for Washington Pike road improvement project was before the Board of Commissioners.

Commissioner Griess moved to approve R-04-6-412 – Consideration of a Resolution of the Commission of Knox County, Tennessee appropriating \$1,370,458.88 and approval of construction contract with Renfro Construction Company, Inc. for Washington Pike road improvement project. Commissioner Horner seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Arms, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills and Pinkston voted aye. The motion carried 18-0-0-1. Commissioner Clark was absent from the vote.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE
COMMISSION OF KNOX COUNTY, TENNESSEE APPROPRIATING
\$428,208.00 FOR RIGHT OF WAY ACQUISITIONS ON BALL CAMP
PIKE, PHASE III: R-04-6-413: (Book 19, Pgs. 143 & 145)

Consideration of a Resolution of the Commission of Knox County, Tennessee appropriating \$428,208.00 for right of way acquisitions on Ball Camp Pike, Phase III was before the Board of Commissioners.

Commissioner Griess moved to approve R-04-6-413 – Consideration of a Resolution of the Commission of Knox County, Tennessee appropriating \$428,208.00 for right of way acquisitions on Ball Camp Pike, Phase III. Commissioner Horner seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Arms, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills and Pinkston voted aye. The motion carried 18-0-0-1. Commissioner Clark was absent from the vote.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE APPROPRIATING \$130,000.00 AND APPROVING A CONSTRUCTION CONTRACT WITH BEST DEVELOPMENT AND CONSTRUCTION CORPORATION FOR CONSTRUCTION OF KNOX COUNTY BODY SHOP AND PAINT BOOTH: R-04-6-414: (Book 19, Pgs. 144 & 145)

Consideration of a Resolution of the Commission of Knox County, Tennessee appropriating \$130,000.00 and approving a construction contract with Best Development and Construction Corporation for construction of Knox County body shop and paint booth was before the Board of Commissioners.

Commissioner Griess moved to approve R-04-6-414 – Consideration of a Resolution of the Commission of Knox County, Tennessee appropriating \$130,000.00 and approving a construction contract with Best Development and Construction Corporation for construction of

Knox County body shop and paint booth. Commissioner Horner seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Arms, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills and Pinkston voted aye. The motion carried 18-0-0-1. Commissioner Clark was absent from the vote.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE
COMMISSION OF KNOX COUNTY, TENNESSEE APPROPRIATING
\$250,000.00 FOR PROPERTY ACQUISITION AND CONSTRUCTION
OF THE POWELL SOLID WASTE AND RECYCLING CONVENIENCE
CENTER: R-04-6-415: (Book 19, Pg. 145)

Consideration of a Resolution of the Commission of Knox County, Tennessee appropriating \$250,000.00 for property acquisition and construction of the Powell Solid Waste and Recycling Convenience Center was before the Board of Commissioners.

Commissioner Griess moved to approve R-04-6-415 – Consideration of a Resolution of the Commission of Knox County, Tennessee appropriating \$250,000.00 for property acquisition and construction of the Powell Solid Waste and Recycling Convenience Center. Commissioner Horner seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Arms, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills and Pinkston voted aye. The motion carried 18-0-0-1. Commissioner Clark was absent from the vote.

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**IN RE: CONSIDERATION OF A RESOLUTION OF THE
COMMISSION OF KNOX COUNTY, TENNESSEE APPROPRIATING
\$150,000.00 FOR PROPERTY ACQUISITION TO RELOCATE GIBBS
SOLID WASTE AND RECYCLING CONVENIENCE CENTER:
R-04-6-416: (Book 19, Pgs. 145 & 146)**

Consideration of a Resolution of the Commission of Knox County, Tennessee appropriating \$150,000.00 for property acquisition to relocate Gibbs Solid Waste and Recycling Convenience Center was before the Board of Commissioners.

Commissioner Griess moved to approve R-04-6-416 – Consideration of a Resolution of the Commission of Knox County, Tennessee appropriating \$150,000.00 for property acquisition to relocate Gibbs Solid Waste and Recycling Convenience Center. Commissioner Horner seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Arms, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills and Pinkston voted aye. The motion carried 18-0-0-1. Commissioner Clark was absent from the vote.

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**IN RE: CONSIDERATION OF A RESOLUTION OF THE
COMMISSION OF KNOX COUNTY, TENNESSEE APPROPRIATING
\$775,000.00 FOR EXPANSION OF THE SOLWAY COMPOSTING
FACILITY AND FOR SINKHOLE REPAIR: R-04-6-417: (Book 19, Pgs.
146 & 147)**

Consideration of a Resolution of the Commission of Knox County, Tennessee appropriating \$775,000.00 for expansion of the Solway

Composting Facility and for sinkhole repair was before the Board of Commissioners.

Commissioner Griess moved to approve R-04-6-417 – Consideration of a Resolution of the Commission of Knox County, Tennessee appropriating \$775,000.00 for expansion of the Solway Composting Facility and for sinkhole repair. Commissioner Horner seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Arms, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills and Pinkston voted aye. The motion carried 18-0-0-1. Commissioner Clark was absent from the vote.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE APPROVING AN AGREEMENT BETWEEN CHILD AND FAMILY TENNESSEE AND KNOX COUNTY IN THE AMOUNT OF \$169,000.00 FOR REHABILITATION OF SUPPORTIVE HOUSING UNITS:R-04-6-501: (Book 19, Pg. 147)

Consideration of a Resolution of the Commission of Knox County, Tennessee approving an agreement between Child and Family Tennessee and Knox County in the amount of \$169,000.00 for rehabilitation of supportive housing units was before the Board of Commissioners.

Commissioner Griess moved to approve R-04-6-501 - Consideration of a Resolution of the Commission of Knox County, Tennessee approving an agreement between Child and Family Tennessee and Knox County in the amount of \$169,000.00 for rehabilitation of supportive housing units. Commissioner Horner seconded the motion and

upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Arms, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills and Pinkston voted aye. The motion carried 18-0-0-1. Commissioner Clark was absent from the vote.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE
COMMISSION OF KNOX COUNTY, TENNESSEE APPROVING A
CONTRACT AGREEMENT BETWEEN THE KNOX COUNTY
HOUSING AUTHORITY AND KNOX COUNTY IN THE AMOUNT OF
\$339,400.00 FOR CONSTRUCTION OF AFFORDABLE HOUSING
UNITS: R-04-6-502: (Book 19, Pgs. 147 & 148)

Consideration of a Resolution of the Commission of Knox County, Tennessee approving a contract agreement between the Knox County Housing Authority and Knox County in the amount of \$339,400.00 for construction of affordable housing units was before the Board of Commissioners.

Commissioner Griess moved to approve R-04-6-502 - Consideration of a Resolution of the Commission of Knox County, Tennessee approving a contract agreement between the Knox County Housing Authority and Knox County in the amount of \$339,400.00 for construction of affordable housing units. Commissioner Horner seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Arms, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills and Pinkston voted aye. The motion carried 18-0-0-1. Commissioner Clark was absent from the vote.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE
COMMISSION OF KNOX COUNTY, TENNESSEE APPROVING THE
SALE OF TWO PARCELS OF KNOX COUNTY LAND WITH
PROCEEDS TO ASSIST LAND ACQUISITION AT SEVEN ISLANDS
WILDLIFE REFUGE AND THE FRENCH BROAD RIVER BLUEWAY:
R-04-6-701: (Book 19, Pgs. 148 & 149)

Consideration of a Resolution of the Commission of Knox County, Tennessee approving the sale of two parcels of Knox County land with proceeds to assist land acquisition at Seven Islands Wildlife Refuge and the French Broad River Blueway was before the Board of Commissioners.

Commissioner Griess moved to approve R-04-6-701 - Consideration of a Resolution of the Commission of Knox County, Tennessee approving the sale of two parcels of Knox County land with proceeds to assist land acquisition at Seven Islands Wildlife Refuge and the French Broad River Blueway. Commissioner Horner seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Arms, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills and Pinkston voted aye. The motion carried 18-0-0-1. Commissioner Clark was absent from the vote.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE
COMMISSION OF KNOX COUNTY, TENNESSEE APPROVING A
UTILITY EASEMENT FOR FIRST UTILITY DISTRICT AT CONCORD
PARK: R-04-6-702: (Book 19, Pg. 149)

Consideration of a Resolution of the Commission of Knox County, Tennessee approving a utility easement for First Utility District at Concord Park was before the Board of Commissioners.

Commissioner Griess moved to approve R-04-6-702 -
Consideration of a Resolution of the Commission of Knox County,
Tennessee approving a utility easement for First Utility District at Concord
Park. Commissioner Horner seconded the motion and upon roll call vote
Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon,
Guthe, Schmid, Arms, Leuthold, Griess, Cawood, Stephens, Horner, Moore,
McMillan, Mills and Pinkston voted aye. The motion carried 18-0-0-1.
Commissioner Clark was absent from the vote.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE
COMMISSION OF KNOX COUNTY, TENNESSEE APPROVING A
LEASE AMENDMENT PROVIDING A THREE YEAR EXTENSION
OF THE LEASE OF THE U.S. CELLULAR SOCCER COMPLEX:
R-04-6-703: (Book 19, Pg. 150)

Consideration of a Resolution of the Commission of Knox
County, Tennessee approving a lease amendment providing a three year
extension of the lease of the U.S. Cellular Soccer Complex was before the
Board of Commissioners.

Commissioner Griess moved to approve R-04-6-703 -
Consideration of a Resolution of the Commission of Knox County,
Tennessee approving a lease amendment providing a three year extension of
the lease of the U.S. Cellular Soccer Complex. Commissioner Horner
seconded the motion and upon roll call vote Commissioners Jordan,
Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Arms,
Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills and
Pinkston voted aye. The motion carried 18-0-0-1. Commissioner Clark was
absent from the vote.

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**IN RE: CONSIDERATION OF A RESOLUTION OF THE
COMMISSION OF KNOX COUNTY, TENNESSEE APPROVING A
CONTRACT WITH SUN TRUST BANK FOR TRAVEL MANAGEMENT
CREDIT CARD SERVICES: R-04-6-803: (Book 19, Pgs. 150 & 151)**

Consideration of a Resolution of the Commission of Knox County, Tennessee approving a contract with Sun Trust Bank for travel management credit card services was before the Board of Commissioners.

Commissioner Griess moved to approve R-04-6-803 - Consideration of a Resolution of the Commission of Knox County, Tennessee approving a contract with Sun Trust Bank for travel management credit card services. Commissioner Horner seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Arms, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills and Pinkston voted aye. The motion carried 18-0-0-1. Commissioner Clark was absent from the vote.

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**IN RE: CONSIDERATION OF A RESOLUTION OF THE
COMMISSION OF KNOX COUNTY, TENNESSEE APPROPRIATING
ADDITIONAL REVENUES FROM THE COURTS TO COVER
ADDITIONAL EXPENSES INCURRED THROUGH FISCAL YEAR
2004: R-04-6-805: (Book 19, Pg. 151)**

Consideration of a Resolution of the Commission of Knox County, Tennessee appropriating additional revenues from the courts to cover additional expenses incurred through fiscal year 2004 was before the Board of Commissioners.

Commissioner Griess moved to approve R-04-6-805 -
Consideration of a Resolution of the Commission of Knox County,
Tennessee appropriating additional revenues from the courts to cover
additional expenses incurred through fiscal year 2004. Commissioner
Horner seconded the motion and upon roll call vote Commissioners Jordan,
Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Arms,
Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills and
Pinkston voted aye. The motion carried 18-0-0-1. Commissioner Clark was
absent from the vote.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE
COMMISSION OF KNOX COUNTY, TENNESSEE ACCEPTING
GRANT FUNDS FROM THE EDWARD BYRNE MEMORIAL GRANT
FOR THE KNOX COUNTY DRUG COURT:R-04-6-901: (Book 19, Pg.
152)

Consideration of a Resolution of the Commission of Knox
County, Tennessee accepting grant funds from the Edward Byrne Memorial
Grant for the Knox County Drug Court was before the Board of
Commissioners.

Commissioner Griess moved to approve R-04-6-901 -
Consideration of a Resolution of the Commission of Knox County,
Tennessee accepting grant funds from the Edward Byrne Memorial Grant
for the Knox County Drug Court. Commissioner Horner seconded the
motion and upon roll call vote Commissioners Jordan, Strickland, Collins,
Tindell, Moody, Harmon, Guthe, Schmid, Arms, Leuthold, Griess, Cawood,
Stephens, Horner, Moore, McMillan, Mills and Pinkston voted aye. The
motion carried 18-0-0-1. Commissioner Clark was absent from the vote.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE
COMMISSION OF KNOX COUNTY, TENNESSEE APPROVING A
GRANT AGREEMENT WITH THE STATE OF TENNESSEE
DEPARTMENT OF HEALTH FOR THE PROVISION OF URINE-
BASED SCREENING SERVICES FOR JUVENILES BOOKED AT THE
JUVENILE SERVICE CENTER: R-04-6-902: (Book 19, Pgs. 12 & 153)

Consideration of a Resolution of the Commission of Knox County, Tennessee approving a grant agreement with the State of Tennessee Department of Health for the provision of urine-based screening services for juveniles booked at the Juvenile Service Center was before the Board of Commissioners.

Commissioner Griess moved to approve R-04-6-902 - Consideration of a Resolution of the Commission of Knox County, Tennessee approving a grant agreement with the State of Tennessee Department of Health for the provision of urine-based screening services for juveniles booked at the Juvenile Service Center. Commissioner Horner seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Arms, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills and Pinkston voted aye. The motion carried 18-0-0-1. Commissioner Clark was absent from the vote.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE
COMMISSION OF KNOX COUNTY, TENNESSEE APPROVING A
QUIT CLAIM DEED TO THE CITY OF KNOXVILLE FOR DUFF
FIELD: R-04-6-903: (Book 19, Pgs. 153 & 154)

Consideration of a Resolution of the Commission of Knox County, Tennessee approving a Quit Claim Deed to the City of Knoxville for Duff Field was before the Board of Commissioners.

Commissioner Griess moved to approve R-04-6-903 - Consideration of a Resolution of the Commission of Knox County, Tennessee approving a Quit Claim Deed to the City of Knoxville for Duff Field. Commissioner Horner seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Arms, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills and Pinkston voted aye. The motion carried 18-0-0-1. Commissioner Clark was absent from the vote.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE APPROVING A GRANT AGREEMENT BETWEEN THE STATE OF TENNESSEE DEPARTMENT OF LABOR AND KNOX COUNTY IN THE AMOUNT OF \$39,920.70 FOR JOB TRAINING AND RETRAINING SERVICES: R-04-6-905: (Book 19, Pg. 154)

Consideration of a Resolution of the Commission of Knox County, Tennessee approving a grant agreement between the State of Tennessee Department of Labor and Knox County in the amount of \$39,920.70 for job training and retraining services was before the Board of Commissioners.

Commissioner Griess moved to approve R-04-6-905 - Consideration of a Resolution of the Commission of Knox County, Tennessee approving a grant agreement between the State of Tennessee Department of Labor and Knox County in the amount of \$39,920.70 for job

training and retraining services. Commissioner Horner seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Arms, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills and Pinkston voted aye. The motion carried 18-0-0-1. Commissioner Clark was absent from the vote.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE
COMMISSION OF KNOX COUNTY, TENNESSEE APPROVING A
GRANT AGREEMENT BETWEEN THE STATE OF TENNESSEE
DEPARTMENT OF LABOR AND KNOX COUNTY IN THE AMOUNT
OF \$359,286.28 FOR JOB TRAINING AND RETRAINING SERVICES:
R-04-6-906: (Book 19, Pgs. 154 & 155)

Consideration of a Resolution of the Commission of Knox County, Tennessee approving a grant agreement between the State of Tennessee Department of Labor and Knox County in the amount of \$359,286.28 for job training and retraining services was before the Board of Commissioners.

Commissioner Griess moved to approve R-04-6-906 - Consideration of a Resolution of the Commission of Knox County, Tennessee approving a grant agreement between the State of Tennessee Department of Labor and Knox County in the amount of \$359,286.28 for job training and retraining services. Commissioner Horner seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Arms, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills and Pinkston voted aye. The motion carried 18-0-0-1. Commissioner Clark was absent from the vote.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE ENCOURAGING THE STATE OF TENNESSEE TO ADOPT MARBLE SPRINGS AS A STATE PARK:R-04-6-909: (Book 19, Pgs. 155 & 156)

Consideration of a Resolution of the Commission of Knox County, Tennessee encouraging the State of Tennessee to adopt Marble Springs as a State Park was before the Board of Commissioners.

Commissioner Griess moved to approve R-04-6-909 - Consideration of a Resolution of the Commission of Knox County, Tennessee encouraging the State of Tennessee to adopt Marble Springs as a State Park. Commissioner Horner seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Arms, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills and Pinkston voted aye. The motion carried 18-0-0-1. Commissioner Clark was absent from the vote.

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IN RE: ACCEPTANCE OF NEW COUNTY ROADS: (Book 19, Pg. 156)

Acceptance of new County Roads was before the Board of Commissioners.

- A. Gatehouse Lane in the Brickyard Hills Subdivision, Unit 2, (District 6)
- B. Cartmill Drive in the Brickyard Hills Subdivision, Unit 2, (District 6)

Commissioner Griess moved to approve the above acceptance of new county roads. Commissioner Horner seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody,

Harmon, Guthe, Schmid, Arms, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills and Pinkston voted aye. The motion carried 18-0-0-1. Commissioner Clark was absent from the vote.

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IN RE: APPROVAL OF MINUTES OF THE PREVIOUS

MEETING: (Book 19, Pgs. 156 & 157)

Consideration of approval of minutes of the previous meeting was before the Board of Commissioners.

Commissioner Horner moved to approve the minutes of the previous meeting. Commissioner Strickland seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Arms, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills and Pinkston voted aye. The motion carried 18-0-0-1. Commissioner Clark was absent from the vote.

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IN RE: ELECTIONS AND APPOINTMENTS:

IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE APPROVING THE APPOINTMENT OF THREE LIBRARY BOARD MEMBERS TO THE KNOX COUNTY LIBRARY BOARD OF TRUSTEES: R-04-6-110: (Book 19, Pg. 157)

Consideration of a Resolution of the Commission of Knox County, Tennessee approving the appointment of three Library Board members to the Knox County Library Board of Trustees was before the Board of Commissioners.

Commissioner Guthe moved to approve R-04-6-110 - Consideration of a Resolution of the Commission of Knox County,

Tennessee approving the appointment of three Library Board members to the Knox County Library Board of Trustees. Commissioner Horner seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Arms, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills and Pinkston voted aye. The motion carried 18-0-0-1. Commissioner Clark was absent from the vote.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE
COMMISSION OF KNOX COUNTY, TENNESSEE APPOINTING TIM
SYKES TO THE PUBLIC BUILDING AUTHORITY BOARD:

R-04-6-111: (Book 19, Pgs. 157 & 158)

Consideration of a Resolution of the Commission of Knox County, Tennessee appointing Tim Sykes to the Public Building Authority Board was before the Board of Commissioners.

Commissioner Guthe moved to approve R-04-6-111 - Consideration of a Resolution of the Commission of Knox County, Tennessee appointing Tim Sykes to the Public Building Authority Board. Commissioner Horner seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Arms, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills and Pinkston voted aye. The motion carried 18-0-0-1. Commissioner Clark was absent from the vote.

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IN RE: DRIVES AND ROADS: (Book 19, Pg. 158)

Consideration of closure of a portion of Loop Road was before the Board of Commissioners. Property located off Woody Road. Property owner: Charlotte White on first reading.

Commissioner Guthe moved to approve closure of a portion of Loop Road on first reading. Property located off Woody Road. Property owner: Charlotte White. Commissioner Horner seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Arms, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills and Pinkston voted aye. The motion carried 18-0-0-1. Commissioner Clark was absent from the vote.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE
COMMISSION OF KNOX COUNTY, TENNESSEE APPROPRIATING
\$40,000.00 FOR SUPPORT OF CAC AMERICORPS PROGRAM:
R-04-6-407: (Book 19, Pg. 159)

Consideration of a Resolution of the Commission of Knox County, Tennessee appropriating \$40,000.00 for support of CAC Americorps Program was before the Board of Commissioners.

Mr. Mike Moyers, Knox County Law Director, was present and spoke on the matter.

Mr. Gerald Clark, representing the Veterans, was present and spoke on the matter.

Commissioner Guthe moved to approve R-04-6-407 - Consideration of a Resolution of the Commission of Knox County, Tennessee appropriating \$40,000.00 for support of CAC Americorps Program. Commissioner Horner seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon,

Guthe, Schmid, Arms, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills and Pinkston voted aye. The motion carried 18-0-0-1.

Commissioner Clark was absent from the vote.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE APPROVING A LIFT STATION UTILITY EASEMENT FOR KUB AT MALONEY ROAD PARK: R-04-6-704: (Book 19, Pgs. 159 & 160)

Consideration of a Resolution of the Commission of Knox County, Tennessee approving a lift station utility easement for KUB at Maloney Road Park was before the Board of Commissioners.

Commissioner Guthe moved to approve R-04-6-704 - Consideration of a Resolution of the Commission of Knox County, Tennessee approving a lift station utility easement for KUB at Maloney Road Park. Commissioner Mills seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Arms, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills and Pinkston voted aye. The motion carried 18-0-0-1. Commissioner Clark was absent from the vote.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE APPROVING A MEMORANDUM OF UNDERSTANDING BETWEEN KNOX COUNTY AND KNOX COUNTY SCHOOLS REGARDING THE TRANSFER OF SCHOOL'S PAYROLL FUNCTIONS TO KNOX COUNTY: R-04-6-801: (Book 19, Pg. 160)

Consideration of a Resolution of the Commission of Knox County, Tennessee approving a Memorandum of Understanding between Knox County and Knox County Schools regarding the transfer of School's payroll functions to Knox County was before the Board of Commissioners.

Commissioner Griess moved to approve R-04-6-801 - Consideration of a Resolution of the Commission of Knox County, Tennessee approving a Memorandum of Understanding between Knox County and Knox County Schools regarding the transfer of School's payroll functions to Knox County. Commissioner Horner seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Arms, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills and Pinkston voted aye. The motion carried 18-0-0-1. Commissioner Clark was absent from the vote.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE APPROVING AN AMENDMENT TO THE CONTRACT WITH LAWSON SOFTWARE, INC. FOR INCLUSION OF THE KNOX COUNTY SCHOOLS PAYROLL AND HR INTO THE EXISTING CONTRACT FOR THE ERP SYSTEM: R-04-6-802: (Book 19, Pg. 161)

Consideration of a Resolution of the Commission of Knox County, Tennessee approving an amendment to the contract with Lawson Software, Inc. for inclusion of the Knox County Schools payroll and HR into the existing contract for the ERP System was before the Board of Commissioners.

Commissioner Griess moved to approve R-04-6-802 - Consideration of a Resolution of the Commission of Knox County,

Tennessee approving an amendment to the contract with Lawson Software, Inc. for inclusion of the Knox County Schools payroll and HR into the existing contract for the ERP System. Commissioner Horner seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Arms, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills and Pinkston voted aye. The motion carried 18-0-0-1. Commissioner Clark was absent from the vote.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE
COMMISSION OF KNOX COUNTY, TENNESSEE APPROVING A
CONTRACT WITH NOVA INFORMATION SYSTEMS FOR CREDIT
CARD PROCESSING SERVICES FOR VARIOUS COUNTY
DEPARTMENTS: R-04-6-804: (Book 19, Pgs. 161 & 162)

Consideration of a Resolution of the Commission of Knox County, Tennessee approving a contract with NOVA Information Systems for credit card processing services for various County Departments was before the Board of Commissioners.

Commissioner Guthe moved to defer to the July Board of Commissioners meeting R-04-6-804 - Consideration of a Resolution of the Commission of Knox County, Tennessee approving a contract with NOVA Information Systems for credit card processing services for various County Departments. Commissioner Leuthold seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Arms, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills and Pinkston voted aye. The motion carried 18-0-0-1. Commissioner Clark was absent from the vote.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE
COMMISSION OF KNOX COUNTY, TENNESSEE APPROVING A
CONTRACT FOR COMMERCIAL PROPERTY AND
COMPREHENSIVE BOILER AND MACHINERY INSURANCE
COVERAGE: R-04-6-904: (Book 19, Pgs. 162 & 163)

Consideration of a Resolution of the Commission of Knox County, Tennessee approving a contract for Commercial Property and Comprehensive Boiler and Machinery Insurance Coverage was before the Board of Commissioners.

Commissioner Griess moved to defer to the July Board of Commissioners meeting R-04-6-904 - Consideration of a Resolution of the Commission of Knox County, Tennessee approving a contract for Commercial Property and Comprehensive Boiler and Machinery Insurance Coverage. Commissioner Guthe seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Arms, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills and Pinkston voted aye. The motion carried 18-0-0-1. Commissioner Clark was absent from the vote.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE
COMMISSION OF KNOX COUNTY, TENNESSEE ORDERING THE
COUNTY NOT TO PAY ANY LEGAL FEES RELATED TO ANY CASE
RELATED TO THE CONTEMPT OF COURT CONVICTION OF
SHERIFF TIM HUTCHISON: R-04-6-907: (Book 19, Pgs. 163 & 164)

Consideration of a Resolution of the Commission of Knox County, Tennessee ordering the County not to pay any legal fees related to

any case related to the Contempt of Court conviction of Sheriff Tim Hutchison was before the Board of Commissioners.

Mr. Mike Moyers, Knox County Law Director, was present and spoke on the matter.

Mr. William Hotz, Attorney, was present and spoke on the matter.

Commissioner Guthe moved to withdraw from the agenda R-04-6-907 Consideration of a Resolution of the Commission of Knox County, Tennessee ordering the County not to pay any legal fees related to any case related to the Contempt of Court conviction of Sheriff Tim Hutchison. Commissioner Horner seconded the motion.

Commissioner Schmid moved as a substitute motion to approve R-04-6-907 - Resolution of the Commission of Knox County, Tennessee ordering the County not to pay any legal fees related to any case related to the Contempt of Court conviction of Sheriff Tim Hutchison. Commissioner Moody seconded the motion and upon roll call vote Commissioners Schmid and Moody voted aye. Commissioners Jordan, Strickland, Collins, Tindell, Harmon, Guthe, Arms, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills and Pinkston voted no. The substitute motion failed 2-16-0-1. Commissioner Clark was absent from the vote.

Resolution R-04-6-907 - Consideration of a Resolution of the Commission of Knox County, Tennessee ordering the County not to pay any legal fees related to any case related to the Contempt of Court conviction of Sheriff Tim Hutchison was withdrawn from the agenda.

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

AMENDMENTS TO THE FRANCHISE AGREEMENT WITH

KNOLOGY: R-04-6-908: (Book 19, Pg. 164)

Consideration of a Resolution of the Commission of Knox County, Tennessee approving amendments to the franchise agreement with Knology was before the Board of Commissioners.

Without objection, Commissioner Collins deferred to the end of the agenda R-04-6-908 - Consideration of a Resolution of the Commission of Knox County, Tennessee approving amendments to the franchise agreement with Knology.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE
COMMISSION OF KNOX COUNTY, TENNESSEE APPROVING AN
AGREEMENT BETWEEN THE CITY OF KNOXVILLE AND KNOX
COUNTY REGARDING TRANSFER OF THE STATE STREET
PROPERTY FOR DOWNTOWN REDEVELOPMENT: R-04-6-910(Book
19, Pgs. 164 & 165)

Consideration of a Resolution of the Commission of Knox County, Tennessee approving an agreement between the City of Knoxville and Knox County regarding transfer of the State Street Property for Downtown Redevelopment was before the Board of Commissioners.

Mr. Mike Moyers, Knox County Law Director, was present and spoke on the matter.

Commissioner Griess moved to approve R-04-6-910 - Consideration of a Resolution of the Commission of Knox County, Tennessee approving an agreement between the City of Knoxville and Knox County regarding transfer of the State Street Property for Downtown Redevelopment with the following amendment: Under Section(v) of the

agreement to read as follows: If FTA suggests that financial benefits should be paid to either it or the Knoxville Area Transit as a result of the County's use of air rights over the transit center, the City, the County and FTA will jointly and mutually negotiate the amount FTA requires. The City will pay up to the first One Million Five Hundred Thousand Dollars (\$1,500,000) of the cost FTA imposes as a result of the negotiations among the City, the County and FTA, and the County will pay the difference, if any.

Commissioner Jordan seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Arms, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills and Pinkston voted aye. The motion carried 18-0-0-1. Commissioner Clark was absent from the vote.

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IN RE: ORDINANCES ON FIRST READING: (Book 19, Pgs. 165 & 166)

No Ordinances received on first reading.

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IN RE: ORDINANCES ON SECOND READING:
CONSIDERATION OF AN ORDINANCE OF THE
COMMISSION OF KNOX COUNTY, TENNESSEE AMENDING
ORDINANCE O-03-5-101 AND ESTABLISHING THE RATE OF THE
KNOX COUNTY VEHICLE REGISTRATION TAX O-04-5-101A: (Book
19,Pg. 166)

Consideration of an Ordinance of the Commission of Knox County, Tennessee amending Ordinance O-03-5-101 and establishing the rate of the Knox County Vehicle Registration Tax was before the Board of Commissioners.

Mr. Jim Golden, concerned citizen, was present and spoke in opposition to the Wheel Tax.

Mr. Brian Maran, President, Fraternal Order of Police Volunteer Lodge #2, was present and spoke in support of the Wheel Tax.

Mr. Greg Lambert, concerned citizen, was present and spoke in opposition to the Wheel Tax.

Mr. John Hatton, concerned citizen, was present and spoke in opposition to the Wheel Tax.

Mr. Bryan Moneyhun, concerned citizen, was present and spoke in opposition to the Wheel Tax and Library.

At this time Commissioner Arms moved to suspend the rules and continue discussion on O-03-5-101A - Consideration of an Ordinance of the Commission of Knox County, Tennessee amending Ordinance O-03-5-101 and establishing the rate of the Knox County Vehicle Registration Tax. Commissioner Mills seconded the motion and upon voice vote the motion failed.

At this time Zoning Requests were heard.

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IN RE: ZONING REQUESTS: 4:00 P.M.: (Book 19, Pgs. 167-180)

Request of Knox County Emergency Services, E-911 for a street name change from Newman Lane to Meadow Trace Way 5-A-04-SNC was before the Board of Commissioners. Eighth Commission District. (Book 19, Pg. 167)

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

Commissioner Mills moved to approve 5-A-04-SNC - Request of Knox County Emergency Services, E-911 for a street name change from

Newman Lane to Meadow Trace Way as per Metropolitan Planning

Commission's Recommendation: Approve Meadow Trace Way.

Commissioner McMillan seconded the motion and upon roll call vote

Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon,

Guthe, Schmid, Arms, Leuthold, Griess, Cawood, Stephens, Horner, Moore,

McMillan, Mills, Clark and Pinkston voted aye. The motion carried

19-0-0-0.

* * * * *

Request of Knox County Emergency Services, E-911 for a street name change from unnamed easement to Hibiscus Way 5-B-04-SNC was before the Board of Commissioners. Street located between Curtis Road and dead-end. Eighth Commission District. (Book 19, Pgs. 167 & 168)

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

Commissioner Mills moved to approve 5-B-04-SNC – Request of Knox County Emergency Services, E-911 for a street name change from unnamed easement to Hibiscus Way as per Metropolitan Planning Commission's Recommendation: Approve Hibiscus Way. Commissioner McMillan seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Arms, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills, Clark and Pinkston voted aye. The motion carried 19-0-0-0.

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Request of Knox County Emergency Services, E-911 for a street name change from unnamed easement to Beeler Ridge Way

5-C-04-SNC was before the Board of Commissioners. Street located between Atkins Road and dead-end. Eighth Commission District. (Book 19, Pg. 168)

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

Commissioner Mills moved to approve 5-C-04-SNC - Request of Knox County Emergency Services, E-911 for a street name change from unnamed easement to Beeler Ridge Way as per Metropolitan Planning Commission's Recommendation: Approve Beeler Ridge Way.

Commissioner McMillan seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Arms, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills, Clark and Pinkston voted aye. The motion carried 19-0-0-0.

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Request of Knox County Emergency Services, E-911 for a street name change from unnamed easement to Beechtop Way 5-D-04-SNC was before the Board of Commissioners. Street located between Ship Road and dead-end. Eighth Commission District. (Book 19, Pgs. 168 & 169)

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

Commissioner Mills moved to approve 5-D-04-SNC - Request of Knox County Emergency Services, E-911 for a street name change from unnamed easement to Beechtop Way as per Metropolitan Planning Commission's Recommendation: Approve Beechtop Way. Commissioner McMillan seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Arms,

Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills,
Clark and Pinkston voted aye. The motion carried 19-0-0-0.

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Request of Knox County Emergency Services, E-911 for a street name change from unnamed easement to Yarber Way 5-E-04-SNC was before the Board of Commissioners. Street located between Atkins Road and dead-end. Eighth Commission District. (Book 19, Pg. 169)

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

Commissioner Mills moved to approve 5-E-04-SNC - Request of Knox County Emergency Services, E-911 for a street name change from unnamed easement to Yarber Way as per Metropolitan Planning Commission's Recommendation: Approve Yarber Way. Commissioner McMillan seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Arms, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills, Clark and Pinkston voted aye. The motion carried 19-0-0-0.

* * * * *

Request of S&E Properties for rezoning from RA (Low Density Residential) to PR (Planned Residential) 4-Y-04-RZ was before the Board of Commissioners. Property located on the southeast end of Montacres Lane, southeast of Point Oaks Drive. Fourth Commission District. (Book 19, Pg. 170)

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

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

Mr. Todd Cobert, representing area homeowners in the Montacres subdivision, was present and spoke on the matter.

Mr. Steve Roth, Attorney, representing applicant, was present and spoke on the matter.

Commissioner Guthe moved to approve 4-Y-04-RZ - Request of S&E Properties for rezoning from RA (Low Density Residential) to PR (Planned Residential) as per Metropolitan Planning Commission's Recommendation: Approve PR (Planned Residential) at a density of 1 to 4 dwelling units per acre. Commissioner Schmid seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills, Clark and Pinkston voted aye. The motion carried 18-0-0-1. Commissioner Arms was absent from the vote.

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Request of Kristopher Kitts for rezoning from A (Agricultural) to RA (Low Density Residential) 5-C-04-RZ was before the Board of Commissioners. Property located on the northwest side of Cunningham Road, southwest side of Spurlin Road, northeast side of Mash Lane. Seventh Commission District. (Book 19, Pgs. 170 & 171)

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

Commissioner Moore moved to approve 5-C-04-RZ - Request of Kristopher Kitts for rezoning from A (Agricultural) to RA (Low Density Residential) as per Metropolitan Planning Commission's Recommendation: Approve RA (Low Density Residential). Subject to the condition that no more than two parcels with two dwelling units may be located on the subject property. Commissioner Horner seconded the motion and upon roll call vote

Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills, Clark and Pinkston voted aye. The motion carried 18-0-0-1. Commissioner Arms was absent from the vote.

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Request of Lexington-Simmons, LLC for rezoning from A (Agricultural), RB (General Residential) and A-1 (General Agricultural) to PR (Planned Residential) and RP-1 (Planned Residential) 5-G-04-RZ was before the Board of Commissioners. Property located on the northeast side of Loves Creek Road, southeast of Millertown Pike. Eighth Commission District. (Book 19, Pgs. 171 & 172)

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

Commissioner McMillan moved to approve 5-G-04-RZ - Request of Lexington-Simmons, LLC for rezoning from A (Agricultural), RB (General Residential) and A-1 (General Agricultural) to PR (Planned Residential) and RP-1 (Planned Residential) as per Metropolitan Planning Commission's Recommendation: Approve PR (Planned Residential) at a density of 1 to 3 dwelling units per acre. Commissioner Mills seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills, Clark and Pinkston voted aye. The motion carried 18-0-0-1. Commissioner Arms was absent from the vote.

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Request of B & J Enterprises for rezoning from RB (General Residential) to PR (Planned Residential) 5-J-04-RZ was before the Board of

Commissioners. Property located on the northside of Millertown Pike, west of Harris Road. Eighth Commission District. (Book 19, Pg. 172)

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

Commissioner Mills moved to approve 5-J-04-RZ - Request of B & J Enterprises for rezoning from RB (General Residential) to PR (Planned Residential) as per Metropolitan Planning Commission's Recommendation: Approve PR (Planned Residential) at a density of 1 to 4 dwelling units per acre. Commissioner McMillan seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills, Clark and Pinkston voted aye. The motion carried 18-0-0-1. Commissioner Arms was absent from the vote.

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Request of Jason Kivett for rezoning from I (Industrial) to RB (General Residential) 5-K-04-RZ was before the Board of Commissioners. Property located on the north side of Greenway Drive, east of Beverly Road. Seventh Commission District. (Book 19, Pgs. 172 & 173)

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

Commissioner Horner moved to approve 5-K-04-RZ - Request of Jason Kivett for rezoning from I (Industrial) to RB (General Residential) as per Metropolitan Planning Commission's Recommendation: Approve RB (General Residential). Commissioner Moore seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills, Clark and Pinkston voted aye. The motion carried 16-2-0-1.

Commissioners Schmid and Guthe voted no. Commissioner Arms was absent from the vote.

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Request of Arthur E. Wayland for rezoning from A (Agricultural) and CA (General Business) to PR (Planned Residential) 5-N-04-RZ was before the Board of Commissioners. Property located on the east and west sides of Stanley Road, southwest of Clinton Highway. Sixth Commission District. (Book 19, Pgs. 173 & 174)

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

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

Commissioner Stephens moved to approve 5-N-04-RZ - Request of Arthur E. Wayland for rezoning from A (Agricultural) and CA (General Business) to PR (Planned Residential) as per Metropolitan Planning Commission's Recommendation: Approve PR (Planned Residential) at a density of 1 to 3 dwelling units per acre. Commissioner Cawood seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills, Clark and Pinkston voted aye. The motion carried 18-0-0-1. Commissioner Arms was absent from the vote.

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Request of Quality Storage Trailers Partnership for rezoning from PC (Planned Commercial) TO (Technology Overlay) to CB (Business and Manufacturing) TO (Technology Overlay) 5-O-04-RZ was before the Board of Commissioners. Property located on the northeast side of Yellow

Pine Lane, northeast of Cogdill Road. Sixth Commission District. (Book 19, Pg. 174)

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

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

Commissioner Cawood moved to approve 5-O-04-RZ - Request of Quality Storage Trailers Partnership for rezoning from PC (Planned Commercial) TO (Technology Overlay) to CB (Business and Manufacturing) TO (Technology Overlay) as per Metropolitan Planning Commission's Recommendation: Approve CB (Business and Manufacturing) TO (Technology Overlay). Commissioner Stephens seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills, Clark and Pinkston voted aye. The motion carried 18-0-0-1. Commissioner Arms was absent from the vote.

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Request of Terry D. Ash for rezoning from A (Agricultural) to RA (Low Density Residential) 5-P-04-RZ was before the Board of Commissioners. Property located on the northwest side of Lovell Road, northeast of Bombay Lane. Sixth Commission District. (Book 19, Pgs. 174 & 175)

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

Commissioner Cawood moved to approve 5-P-04-RZ - Request of Terry D. Ash for rezoning from A (Agricultural) to RA (Low Density

Residential) as per Metropolitan Planning Commission's Recommendation: Approve RA (Low Density Residential). Commissioner Stephens seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills, Clark and Pinkston voted aye. The motion carried 18-0-0-1. Commissioner Arms was absent from the vote.

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Request of David and Angela Whaley for rezoning from A (Agricultural) to PR (Planned Residential) 5-R-04-RZ was before the Board of Commissioners. Property located on the southeast side of Snyder Road, west of Lovell Road. Property located on the southeast side of Snyder Road, west of Lovell Road. Fifth Commission District. (Book 19, Pgs. 175 & 176)

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

Commissioner Griess moved to approve 5-R-04-RZ - Request of David and Angela Whaley for rezoning from A (Agricultural) to PR (Planned Residential) as per Metropolitan Planning Commission's Recommendation: Approve PR (Planned Residential) at a density of 1 to 3 dwelling units per acre. Commissioner Leuthold seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills, Clark and Pinkston voted aye. The motion carried 18-0-0-1. Commissioner Arms was absent from the vote.

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Request of Robert Troutman for rezoning from RB (General Residential), CA (General Business) and A (Agricultural) to PR (Planned

Residential) 5-U-04-RZ was before the Board of Commissioners. Property located on the southeast side of E. Dick Ford Lane, northeast of Little Switzerland Road. Ninth Commission District. (Book 19, Pg. 176)

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

Commissioner Pinkston moved to approve 5-U-04-RZ - Request of Robert Troutman for rezoning from RB (General Residential), CA (General Business) and A (Agricultural) to PR (Planned Residential) as per Metropolitan Planning Commission's Recommendation: Approve PR (Planned Residential) at a density of 1 to 4.5 dwelling units per acre.

Commissioner Clark seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills, Clark and Pinkston voted aye. The motion carried 18-0-0-1. Commissioner Arms was absent from the vote.

* * * * *

Request of Forestbrook Development for rezoning from A (Agricultural) to PR (Planned Residential) 5-V-04-RZ was before the Board of Commissioners. Property located on the southeast side of Choto Road, northwest side Summershade Lane. Fifth Commission District. (Book 19, Pgs. 176 & 177)

The request of Forestbrook Development was heard after Rezoning Appeal 5-D-04-SP - Chris Brown, Option Holder, of MPC denial of Southwest County Sector Plan Amendment from Rural Residential to LDR (Low Density Residential)

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Request of Nova, Inc. for rezoning from A (Agricultural) to RA (Low Density Residential) 5-X-04-RZ was before the Board of Commissioners. Property located on the north side of E. Governor John Sevier Highway, northeast of Austin Park Lane. Ninth Commission District. (Book 19, Pg. 177)

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

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

Commissioner Clark moved to approve 5-X-04- RZ – Request of Nova, Inc. for rezoning from A (Agricultural) to RA (Low Density Residential) as per Metropolitan Planning Commission’s Recommendation: RA (Low Density Residential). Commissioner Pinkston seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills, Clark and Pinkston voted aye. The motion carried 18-0-0-1. Commissioner Arms was absent from the vote.

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Request of Huber Properties for rezoning from A (Agricultural) to PR (Planned Residential) 5-Z-04-RZ was before the Board of Commissioners. Property located on the west side of Tipton Station Road, southwest of Chapman Highway. Ninth Commission District. (Book 19, Pgs. 177 & 178)

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

Commissioner Clark moved to approve 5-Z-04-RZ - Request of Huber Properties for rezoning from A (Agricultural) to PR (Planned

Residential) as per Metropolitan Planning Commission's Recommendation: Approve PR (Planned Residential) at a density of 1 to 4 dwelling units per acre. Commissioner Pinkston seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills, Clark and Pinkston voted aye. The motion carried 18-0-0-1. Commissioner Arms was absent from the vote.

* * * * *

Request of JBS Holdings, LLC for rezoning from A (Agricultural) to PR (Planned Residential) 5-BB-04-RZ was before the Board of Commissioners. Property located on the northeast side of Norris Freeway, southeast of Old Andersonville Pike. Eighth Commission District. (Book 19, Pg. 178)

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

Commissioner Mills moved to approve 5-BB-04-RZ - Request of JBS Holdings, LLC for rezoning from A (Agricultural) to PR (Planned Residential) as per Metropolitan Planning Commission's Recommendation: Approve PR (Planned Residential) at a density of 1 to 3 dwelling units per acre. Commissioner McMillan seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills, Clark and Pinkston voted aye. The motion carried 18-0-0-1. Commissioner Arms was absent from the vote.

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IN RE: REZONING APPEALS: (Book 19, Pg. 179 & 180)

Appeal by Chris Brown, Option Holder, of MPC Denial of Southwest County Sector Plan Amendment from Rural Residential to LDR (Low Density Residential) 5-D-04-SP was before the Board of Commissioners. Property located on the southeast side of Choto Road, northwest side of Summershade Lane. Fifth Commission District. (Book 19, Pg. 179)

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

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

Mr. Arthur Seymour, Jr., Attorney, representing Choto Bend Homeowners Association, was present and spoke on the matter.

Ms. Marjorie Beachler, President, Lakeshore Meadows Homeowners Association, was present and spoke in opposition to the density request.

Mr. Jim Lord, Choto resident, was present and spoke in opposition to the request.

There was no motion made on the appeal of Chris Brown, Option Holder, of MPC Denial of Southwest County Sector Plan Amendment from Rural Residential to LDR (Low Density Residential) Failed for lack of a motion.

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IN RE: Request of Forestbrook Development for rezoning from A (Agricultural) to PR (Planned Residential) 5-V-04-RZ was before the Board of Commissioners. Property located on the southeast side of Choto Road, northwest side Summershade Lane. Fifth Commission District. (Book 19, Pgs. 179 & 180)

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

Commissioner Arms moved to approve 5-V-04-RZ Request of Forestbrook Development for rezoning from A (Agricultural) to PR (Planned Residential) as per Metropolitan Planning Commission's Recommendation: Approve PR (Planned Residential) at a density of 1 dwelling unit per acre. Commissioner Leuthold seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Arms, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills, Clark and Pinkston voted aye. The motion carried 19-0-0-0.

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IN RE: AMENDMENT TO THE AGENDA: (Book 19, Pg. 180)

At this time the Knox County Board of Commissioners heard O-04-5-101A.

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IN RE: ORDINANCES ON SECOND READING:

CONSIDERATION OF AN ORDINANCE OF THE COMMISSION OF KNOX COUNTY, TENNESSEE AMENDING ORDINANCE O-03-5-101 AND ESTABLISHING THE RATE OF THE KNOX COUNTY VEHICLE REGISTRATION TAX O-04-5-101A: (Book 19, Pgs. 180-182)

Consideration of an Ordinance of the Commission of Knox County, Tennessee amending Ordinance O-03-5-101 and establishing the rate of the Knox County Vehicle Registration Tax was before the Board of Commissioners on second reading.

Mr. Jim Golden, concerned citizen, was present and spoke in opposition to the Wheel Tax.

Mr. Brian Maran, President, Fraternal Order of Police Volunteer Lodge #2, was present and spoke in support of the Wheel Tax.

Mr. Greg Lambert, concerned citizen, was present and spoke in opposition to the Wheel Tax.

Mr. John Hatton, concerned citizen, was present and spoke in opposition to the Wheel Tax.

Mr. Bryan Moneyhun, concerned citizen, was present and spoke in opposition to the Wheel Tax and Library.

Mr. Gary Sellers, concerned citizen, was present and spoke in opposition to the Wheel Tax.

Mr. Julian Weaver, concerned citizen, was present and spoke in support of the Wheel Tax.

Mr. James Croley, concerned citizen, was present and spoke in opposition to the Wheel Tax.

Ms. Susan Blair, concerned citizen, was present and spoke in support of the Library.

Mr. Richard Dodson, concerned citizen, was present and spoke in opposition to the Wheel Tax.

Mr. Bill Felton, concerned citizen, was present and spoke in support of the Library and Wheel Tax.

Mr. John Ownings, Knox County Senior Law Director, was present and spoke on the matter.

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

Mr. Mike Padgett, Knox County Clerk, was present and spoke on the matter.

Commissioner Guthe moved to approve on second reading Ordinance O-04-5-101A - Consideration of an Ordinance of the Commission of Knox County, Tennessee amending Ordinance O-03-5-101 and establishing the rate of the Knox County Vehicle Registration Tax with the following amendment: Under Section 3: Add U. S. Veteran's Administration. Commissioner Griess seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Arms, Leuthold, Griess, Stephens, Horner, Moore, Mills, and Clark voted aye. The motion carried 16-3-0-0. Commissioners Cawood, McMillan and Pinkston voted no.

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IN RE: AMENDMENT TO THE AGENDA: (Book 19, Pg. 182)

At this time R-04-6-908 was heard next on the agenda.

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CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE APPROVING AMENDMENTS TO THE FRANCHISE AGREEMENT WITH KNOLOGY: R-04-6-908: (Book 19, Pgs. 182 & 183)

Consideration of a Resolution of the Commission of Knox County, Tennessee approving amendments to the franchise agreement with Knology was before the Board of Commissioners.

Mr. John Ownings, Senior Deputy Law Director, was present and spoke on the matter.

Mr. John Gilmore, representing Knology, was present and spoke on the matter.

Mr. Richard Walls, Knox County Internal Auditor, was present and spoke on the matter.

Commissioner McMillan moved to approve R-04-6-908 - Consideration of a Resolution of the Commission of Knox County, Tennessee approving amendments to the franchise agreement with Knology. Commissioner Jordan seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Schmid, Leuthold, Griess, Cawood, Horner, Moore, McMillan, Mills, Clark and Pinkston voted aye. The motion carried 16-2-0-1. Commissioners Guthe and Stephens voted no. Commissioner Arms was absent from the vote.

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IN RE: PUBLIC FORUM: (Book 19, Pg. 183)

Mr. James McMillan, concerned citizen was present and spoke on flooding problems in Northeast Knox County.

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IN RE: ADJOURNMENT: (Book 19, Pg. 183)

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

COMMISSIONER DAVID COLLINS, CHAIRMAN

KNOX COUNTY BOARD OF COMMISSIONERS

The Knox County Board of Commissioners met in Regular Session on Monday, July 26, 2004 at 2:00 p.m. in the Main Assembly Room of the City-County Building, Main Avenue. Those members present were Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Arms, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills, Clark and Pinkston. Also present were Mr. Mike Moyers, Knox County Law Director, Mr. Mike Ragsdale, Knox County Mayor, Mr. John Werner, Knox County Finance Director, Mr. Richard Walls, Knox County Internal Auditor, Mr. Dave Hill, Executive Director for Metropolitan Planning Commission, Mr. Ewing "Buzz" Johnson, Director of Development Services for Metropolitan Planning Commission, and members of the news media.

Commissioner Collins, Chairman, presided.

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

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IN RE: ROLL CALL: (Book 19/Page 184)

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

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IN RE: DEVOTIONAL: (Book 19/Page 184)

Mr. Tom Miller, Minister at Karns Church of Christ, gave the devotional.

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IN RE: PLEDGE OF ALLEGIANCE TO THE FLAG: (Book 19/Page 185)

Commissioner Clark led the Pledge of Allegiance to the Flag.

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IN RE: AMENDMENTS TO THE AGENDA: (Book 19/Page 185-187)

1. Commissioner Griess moved to amend the agenda to defer the following items to the August 2004 Board of Commissioners meeting:

Resolution R-04-7-702 – Consideration of a resolution of the Commission of Knox County, Tennessee, appropriating funds for improvements to the Concord Park sports fields; Resolution R-04-7-902 - Consideration of a resolution of the Commission of Knox County, Tennessee, appropriating funds to design, construct and equip the new Burlington Branch Library; Resolution R-04-7-904 - Consideration of a resolution of the Commission of Knox County, Tennessee, appropriating funds for design and construction at the Powell Community Park; Resolution R-04-7-905 - Consideration of a resolution of the Commission of Knox County, Tennessee, appropriating funds for design and construction at the Halls Community Park; Resolution R-04-7-906 - Consideration of a resolution of the Commission of Knox County, Tennessee, appropriating funds for renovation and improvements to the Beck Cultural Center; Resolution R-04-7-907 - Consideration of a resolution of the Commission of Knox County, Tennessee, appropriating funds for design and construction of the new Corryton Senior Center; Resolution R-04-7-908 - Consideration of a resolution of the Commission of Knox County, Tennessee, appropriating funds for design and construction of the new South Knox Senior Center; and Resolution R-04-7-910 -

Consideration of a resolution of the Commission of Knox County, Tennessee, appropriating funds for design and construction of the Halls Senior Center. Commissioner Moore seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Arms, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills, Clark and Pinkston voted aye. The motion carried 19-0-0-0.

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

2. Without objection, Commissioner Collins amended the agenda to add the following item to be heard on the Education Consent Calendar: Resolution R-04-7-204 - Consideration of a resolution of the Commission of Knox County, Tennessee, approving a contract to purchase property located at 9305 Gulf Park Drive.

Mr. Mike Moyers, Knox County Law Director, was present and spoke on the matter.

3. Commissioner Horner moved to amend the agenda to defer the following item to the August 2004 Board of Commissioners meeting: Resolution R-04-7-901 - Consideration of a resolution of the Commission of Knox County, Tennessee, appropriating funds for design and construction of the new Downtown Library. Commissioner Moody seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Arms, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills, Clark and Pinkston voted aye. The motion carried 19-0-0-0.

4. Commissioner Collins amended the agenda to defer the following item to the August 2004 Board of Commissioners meeting:
Resolution R-04-7-102 - Consideration of a resolution of the Commission of Knox County, Tennessee, honoring Charlie Burchett.

5. Commissioner Collins amended the agenda to remove the following item from the Consent Calendar to be heard after completion of the Education Consent Calendar: Resolution R-04-7-101- Consideration of a resolution of the Commission of Knox County, Tennessee, honoring Robert Locke, Jr.

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IN RE: CONSENT ITEMS: (Book 19/Page 187-188)

1. Tax Refunds:

No request received.

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2. Notary Public Applications:

185 Notary Public Applications received.

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3. Reports of Officials:

- A. County Executive
- B. County Law Director
- C. Superintendent of Schools
- D. Trustee
- E. Medical Examiner
- F. Sheriff
- G. Public Libraries
- H. Old Records

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4. Reports of County Agencies:

- A. Department of Human Services
- B. Department of Child and Family Services
- C. Department of Air Quality Management
- D. Metropolitan Planning Commission
- E. Sheriff's Merit System
- F. Pre-Trial Release
- G. Jail Inspection Committee
- H. Alternative Sentencing Program
- I. Ambulance Review Commission

Commissioner Griess moved to approve all Consent Items.

Commissioner Horner seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Arms, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills, Clark and Pinkston voted aye. The motion carried 19-0-0-0.

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IN RE: EDUCATION CONSENT CALENDAR: (Book 19/Page 188)

IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, APPROVING A CONTRACT TO PURCHASE PROPERTY LOCATED AT 9305 GULF PARK DRIVE – R-04-7-204: (Book 19/Page 188)

Consideration of a resolution of the Commission of Knox County, Tennessee, approving a contract to purchase property located at 9305 Gulf Park Drive was before the Board of Commissioners.

Commissioner Leuthold moved to approve Resolution R-04-7-204 - Resolution of the Commission of Knox County, Tennessee, approving a contract to purchase property located at 9305 Gulf Park Drive. Commissioner Arms seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Arms, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills, Clark and Pinkston voted aye. The motion carried 19-0-0-0.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, HONORING ROBERT LOCKE, JR. – R-04-7-101: (Book 19/Page 189)

Consideration of a resolution of the Commission of Knox County, Tennessee, honoring Robert Locke, Jr. was before the Board of Commissioners.

Commissioner Clark moved to approve Resolution R-04-7-101 Resolution of the Commission of Knox County, Tennessee, honoring Robert Locke, Jr. Commissioner Pinkston seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Arms, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills, Clark and Pinkston voted aye. The motion carried 19-0-0-0.

Ms. Donna Watson, Sixth Grade Teacher at South Doyle Middle School, presented a plaque to Robert.

Mr. Mike Ragsdale, Knox County Mayor, presented a proclamation to Robert.

Robert and family members were present to accept the resolution, plaque and proclamation and expressed appreciation for the honor.

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IN RE: CONSENT CALENDAR:

IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, HONORING CHARLIE BURCHETT – R-04-7-102: (Book 19/Page 190)

This item was deferred to the August 2004 Board of Commissioners meeting. (See Amendments to the Agenda, Page 186-187)

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IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, MEMORIALIZING GARY STEVEN DAILEY – R-04-7-103: (Book 19/Page 190)

Consideration of a resolution of the Commission of Knox County, Tennessee, memorializing Gary Steven Dailey was before the Board of Commissioners.

Commissioner Mills moved to approve Resolution R-04-7-103 Resolution of the Commission of Knox County, Tennessee, memorializing Gary Steven Dailey. Commissioner Griess seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody,

Harmon, Guthe, Schmid, Arms, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills, Clark and Pinkston voted aye. The motion carried 19-0-0-0.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, HONORING REGAS RESTAURANT UPON ITS 85TH ANNIVERSARY – R-04-7-104:
(Book 19/Page 191)

Consideration of a resolution of the Commission of Knox County, Tennessee, honoring Regas Restaurant upon its 85th anniversary was before the Board of Commissioners.

Commissioner Mills moved to approve Resolution R-04-7-104 Resolution of the Commission of Knox County, Tennessee, honoring Regas Restaurant upon its 85th anniversary. Commissioner Griess seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Arms, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills, Clark and Pinkston voted aye. The motion carried 19-0-0-0.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, APPROVING A CONTRACT WITH THE STATE OF TENNESSEE DEPARTMENT OF MENTAL HEALTH TO PROVIDE SKILLS TRAINING FOR LAKESHORE RESIDENTS – R-04-7-202:
(Book 19/Page 191)

Consideration of a resolution of the Commission of Knox County, Tennessee, approving a contract with the State of Tennessee

Department of Mental Health to provide skills training for Lakeshore residents was before the Board of Commissioners.

Commissioner Mills moved to approve Resolution R-04-7-202 Resolution of the Commission of Knox County, Tennessee, approving a contract with the State of Tennessee Department of Mental Health to provide skills training for Lakeshore residents. Commissioner Griess seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Arms, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills, Clark and Pinkston voted aye. The motion carried 19-0-0-0.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE
COMMISSION OF KNOX COUNTY, TENNESSEE, APPROVING A
MEMORANDUM OF UNDERSTANDING WITH THE BECK
CULTURAL EXCHANGE CENTER, MAKING THE BECK CENTER
PART OF THE KNOX COUNTY PUBLIC LIBRARY SYSTEM –
R-04-7-203: (Book 19/Page 192)

Consideration of a resolution of the Commission of Knox County, Tennessee, approving a Memorandum of Understanding with the Beck Cultural Exchange Center, making the Beck Center part of the Knox County Public Library System was before the Board of Commissioners.

Commissioner Mills moved to approve Resolution R-04-7-203 Resolution of the Commission of Knox County, Tennessee, approving a Memorandum of Understanding with the Beck Cultural Exchange Center, making the Beck Center part of the Knox County Public Library System. Commissioner Griess seconded the motion and upon roll call vote

Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Arms, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills, Clark and Pinkston voted aye. The motion carried 19-0-0-0.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, APPROVING LEASE AGREEMENT BETWEEN THE KNOX COUNTY SHERIFF'S OFFICE AND THE NATIONAL INSURANCE CRIME BUREAU – R-04-7-301: (Book 19/Page 193)

Consideration of a resolution of the Commission of Knox County, Tennessee, approving lease agreement between the Knox County Sheriff's Office and the National Insurance Crime Bureau was before the Board of Commissioners.

Commissioner Mills moved to approve Resolution R-04-7-301 Resolution of the Commission of Knox County, Tennessee, approving lease agreement between the Knox County Sheriff's Office and the National Insurance Crime Bureau. Commissioner Griess seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Arms, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills, Clark and Pinkston voted aye. The motion carried 19-0-0-0.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, APPROPRIATING \$31,250.00 AND APPROVING A CONTRACT WITH THE U.S.

GEOLOGICAL SURVEY FOR STREAM AND RAIN DATA

COLLECTION AND MAINTENANCE FOR FY 2005 – R-04-7-401:

(Book 19/Page 193 & 194)

Consideration of a resolution of the Commission of Knox County, Tennessee, appropriating \$31,250.00 and approving a contract with the U.S. Geological Survey for stream and rain data collection and maintenance for FY 2005 was before the Board of Commissioners.

Commissioner Mills moved to approve Resolution R-04-7-401 Resolution of the Commission of Knox County, Tennessee, appropriating \$31,250.00 and approving a contract with the U.S. Geological Survey for stream and rain data collection and maintenance for FY 2005.

Commissioner Griess seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Arms, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills, Clark and Pinkston voted aye. The motion carried 19-0-0-0.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, APPROPRIATING \$4,796,569.00 AND APPROVING A CONSTRUCTION CONTRACT WITH APAC – TENNESSEE, INC., FOR CONSTRUCTION OF DUTCHTOWN ROAD, PHASE I – R-04-7-402: (Book 19/Page 194)

Consideration of a resolution of the Commission of Knox County, Tennessee, appropriating \$4,796,569.00 and approving a construction contract with APAC – Tennessee, Inc., for construction of Dutchtown Road, Phase I was before the Board of Commissioners.

Commissioner Mills moved to approve Resolution R-04-7-402 Resolution of the Commission of Knox County, Tennessee, appropriating \$4,796,569.00 and approving a construction contract with APAC – Tennessee, Inc., for construction of Dutchtown Road, Phase I. Commissioner Griess seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Arms, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills, Clark and Pinkston voted aye. The motion carried 19-0-0-0.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE
COMMISSION OF KNOX COUNTY, TENNESSEE, SETTING UP
ADDITIONAL ESTIMATED REVENUE AND APPROPRIATION TO
COVER COUNTY WASTE CONTRACTS – R-04-7-403: (Book 19/Page
195)

Consideration of a resolution of the Commission of Knox County, Tennessee, setting up additional estimated revenue and appropriation to cover county waste contracts was before the Board of Commissioners.

Commissioner Mills moved to approve Resolution R-04-7-403 Resolution of the Commission of Knox County, Tennessee, setting up additional estimated revenue and appropriation to cover county waste contracts. Commissioner Griess seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Arms, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills, Clark and Pinkston voted aye. The motion carried

19-0-0-0.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE
COMMISSION OF KNOX COUNTY, TENNESSEE, APPROVING A
CONTRACT WITH INTERFAITH HEALTH CLINIC TO PROVIDE
HEALTH CARE SERVICES TO UNINSURED LOW AND MODERATE
INCOME PERSONS IN KNOX COUNTY – R-04-7-501: (Book 19/Page
195 & 196)

Consideration of a resolution of the Commission of Knox County, Tennessee, approving a contract with Interfaith Health Clinic to provide health care services to uninsured low and moderate income persons in Knox County was before the Board of Commissioners.

Commissioner Mills moved to approve Resolution R-04-7-501 Resolution of the Commission of Knox County, Tennessee, approving a contract with Interfaith Health Clinic to provide health care services to uninsured low and moderate income persons in Knox County.

Commissioner Griess seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Arms, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills, Clark and Pinkston voted aye. The motion carried

19-0-0-0.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE
COMMISSION OF KNOX COUNTY, TENNESSEE, APPROVING A
CONTRACT WITH THE KNOXVILLE/KNOX COUNTY CAC TO
PROVIDE EMERGENCY HOME REPAIR SERVICES FOR LOW AND

MODERATE INCOME PERSONS IN KNOX COUNTY – R-04-7-503:

(Book 19/Page 196)

Consideration of a resolution of the Commission of Knox County, Tennessee, approving a contract with the Knoxville/Knox County CAC to provide emergency home repair services for low and moderate income persons in Knox County was before the Board of Commissioners.

Commissioner Mills moved to approve Resolution R-04-7-503 Resolution of the Commission of Knox County, Tennessee, approving a contract with the Knoxville/Knox County CAC to provide emergency home repair services for low and moderate income persons in Knox County.

Commissioner Griess seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Arms, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills, Clark and Pinkston voted aye. The motion carried 19-0-0-0.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE
COMMISSION OF KNOX COUNTY, TENNESSEE, APPROVING A
CONTRACT WITH THE KNOXVILLE/KNOX COUNTY CAC TO
PROVIDE INDEPENDENT LIVING SERVICES FOR LOW AND
MODERATE INCOME PERSONS IN KNOX COUNTY – R-04-7-504:

(Book 19/Page 197)

Consideration of a resolution of the Commission of Knox County, Tennessee, approving a contract with the Knoxville/Knox County CAC to provide independent living services for low and moderate income persons in Knox County was before the Board of Commissioners.

Commissioner Mills moved to approve Resolution R-04-7-504 Resolution of the Commission of Knox County, Tennessee, approving a contract with the Knoxville/Knox County CAC to provide independent living services for low and moderate income persons in Knox County. Commissioner Griess seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Arms, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills, Clark and Pinkston voted aye. The motion carried 19-0-0-0.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE
COMMISSION OF KNOX COUNTY, TENNESSEE, APPROPRIATING
FUNDS FOR IMPROVEMENTS TO THE JACOB BUILDING –
R-04-7-505: (Book 19/Page 198)

Consideration of a resolution of the Commission of Knox County, Tennessee, appropriating funds for improvements to the Jacob Building was before the Board of Commissioners.

Commissioner Mills moved to approve Resolution R-04-7-505 Resolution of the Commission of Knox County, Tennessee, appropriating funds for improvements to the Jacob Building. Commissioner Griess seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Arms, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills, Clark and Pinkston voted aye. The motion carried 19-0-0-0.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE
COMMISSION OF KNOX COUNTY, TENNESSEE, APPROPRIATING
FUNDS FOR PHASE III OF THE CITY-COUNTY JAIL
RENOVATIONS – R-04-7-903: (Book 19/Page 198)

Consideration of a resolution of the Commission of Knox County, Tennessee, appropriating funds for Phase III of the City-County Jail Renovations was before the Board of Commissioners.

Commissioner Mills moved to approve Resolution R-04-7-903 Resolution of the Commission of Knox County, Tennessee, appropriating funds for Phase III of the City-County Jail Renovations. Commissioner Griess seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Arms, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills, Clark and Pinkston voted aye. The motion carried 19-0-0-0.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE
COMMISSION OF KNOX COUNTY, TENNESSEE, APPROVING A
CONTRACT FOR PROPERTY CASUALTY INSURANCE FOR KNOX
COUNTY PUBLIC BUILDINGS – R-04-7-909: (Book 19/Page 199)

Consideration of a resolution of the Commission of Knox County, Tennessee, approving a contract for Property Casualty Insurance for Knox County Public Buildings was before the Board of Commissioners.

Commissioner Mills moved to approve Resolution R-04-7-909 Resolution of the Commission of Knox County, Tennessee, approving a contract for Property Casualty Insurance for Knox County Public Buildings. Commissioner Griess seconded the motion and upon roll call vote

Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Arms, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills, Clark and Pinkston voted aye. The motion carried 19-0-0-0.

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IN RE: ACCEPTANCE OF NEW COUNTY ROADS: (Book 19/Page 200)

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

- A. Solomon Drive, Solomon Place Subdivision, District 7.
- B. Temple Lane, Solomon Place Subdivision, District 7.
- C. Knowledge Lane, Solomon Place Subdivision, District 7.
- D. Wisdom Lane, Solomon Place Subdivision, District 7.
- E. Emerald Ridge Lane, Emerald Ridge Subdivision, District 7.
- F. Tailwind Lane, Three Point Landing Subdivision, District 8.
- G. Windsock Lane, Three Point Landing Subdivision, District 8.
- H. Wendi Ann Drive, Three Point Landing Subdivision, District 8.
- I. September Lane, Easton Meadow Subdivision, District 8.
- J. Crusero Lane, Easton Meadow Subdivision, District 8.

Commissioner Mills moved to approve the above acceptance of new county roads. Commissioner Griess seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Arms, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills, Clark and Pinkston voted aye. The motion carried

19-0-0-0.

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

(Book 19/Page 200)

6. At this time, Mr. Mike Ragsdale, Knox County Mayor, spoke concerning school overcrowding in West Knox County. He indicated a meeting would be held on Thursday, July 29, 2004 at 6:00 p.m. at Farragut High School regarding this matter.

He also introduced Mr. Mickey Locke, Chairman of the State Veteran’s Nursing Home Board.

Mr. Locke, addressed the commission regarding the future Knox County Veteran’s Nursing Home and presented a portrait of the future nursing home to Mr. Ragsdale.

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IN RE: APPROVAL OF MINUTES OF THE PREVIOUS

MEETING: (Book 19/Page 201)

Consideration of approval of minutes of the previous meeting was before the Board of Commissioners.

Commissioner Horner moved to approve the minutes of the previous meeting. Commissioner Griess seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Arms, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills, Clark and Pinkston voted aye. The motion carried 19-0-0-0.

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IN RE: ELECTIONS AND APPOINTMENTS: (Book 19/Page 201)

**IN RE: CONSIDERATION OF A RESOLUTION OF THE
COMMISSION OF KNOX COUNTY, TENNESSEE, APPROVING THE
APPOINTMENT OF JOHN ED SMITH AND THE REAPPOINTMENT
OF GREG GHEEN, SUZANNE SCHRIVER AND DAVID REYNOLDS
TO THE INDUSTRIAL DEVELOPMENT BOARD OF KNOX COUNTY
R-04-7-110: (Book 19/Page 201)**

Consideration of a resolution of the Commission of Knox County, Tennessee, approving the appointment of John Ed Smith and the reappointment of Greg Gheen, Suzanne Schriver and David Reynolds to the Industrial Development Board of Knox County was before the Board of Commissioners.

Commissioner Guthe moved to approve Resolution R-04-7-110 Resolution of the Commission of Knox County, Tennessee, approving the appointment of John Ed Smith and the reappointment of Greg Gheen, Suzanne Schriver and David Reynolds to the Industrial Development Board of Knox County. Commissioner Horner seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Arms, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills, Clark and Pinkston voted aye. The motion carried 19-0-0-0.

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IN RE: DRIVES AND ROADS: (Book 19/Page 202 & 203)

**IN RE: CONSIDERATION OF CLOSURE OF A PORTION OF
LOOP ROAD. PROPERTY LOCATED OFF WOODY ROAD.**

CHARLOTTE WHITE, PROPERTY OWNER – (SECOND READING):

(Book 19/Page 202)

Consideration of closure of a portion of Loop Road was before the Board of Commissioners on second reading. Property located off Woody Road. Charlotte White, property owner.

Commissioner Guthe moved to approve the closure of a portion of Loop Road on second reading. Commissioner Horner seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Arms, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills, Clark and Pinkston voted aye. The motion carried 19-0-0-0. Property located off Woody Road. Charlotte White, property owner.

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IN RE: CONSIDERATION OF CLOSURE OF DANNAHER LANE.

PROPERTY LOCATED OFF EAST EMORY ROAD, NORTH OF

CONNER ROAD. ST. MARY'S HEALTH SYSTEM, PROPERTY

OWNER – (FIRST READING): (Book 19/Page 203)

Consideration of closure of Dannaher Lane was before the Board of Commissioners on first reading. Property located off East Emory Road, north of Conner Road. St. Mary's Health System, property owner.

Commissioner Guthe moved to approve the closure of Dannaher Lane on first reading. Commissioner Horner seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Arms, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills, Clark and Pinkston voted aye.

The motion carried 19-0-0-0. Property located off East Emory Road, north of Conner Road. St. Mary's Health System, property owner.

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IN RE: RESOLUTIONS:

IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, APPROPRIATING FUNDS FOR PHYSICAL PLANT UPGRADES TO VARIOUS KNOX COUNTY SCHOOLS – R-04-7-201: (Book 19/Page 203)

Consideration of a resolution of the Commission of Knox County, Tennessee, appropriating funds for Physical Plant Upgrades to various Knox County Schools was before the Board of Commissioners.

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

Commissioner Moody moved to approve Resolution R-04-7-201 - Resolution of the Commission of Knox County, Tennessee, appropriating funds for Physical Plant Upgrades to various Knox County Schools. Commissioner Harmon seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Arms, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills, Clark and Pinkston voted aye. The motion carried 19-0-0-0.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, APPROVING A CONTRACT WITH VOLUNTEER MINISTRY CENTER TO PROVIDE

MEDICAL SERVICES FOR THE INDIGENT AND HOMELESS IN

KNOX COUNTY – R-04-7-502: (Book 19/Page 204)

Consideration of a resolution of the Commission of Knox County, Tennessee, approving a contract with Volunteer Ministry Center to provide medical services for the indigent and homeless in Knox County was before the Board of Commissioners.

Ms. Hemal Tailor, Knox County Community Development Director, Ms. Ginny Weatherstone, Executive Director for the Volunteer Ministry Center, Mr. Mark Jones, Knox County Health Department Director, and Ms. Melissa Knight, Executive Director for the Interfaith Health Clinic, were present and spoke on the matter.

Commissioner Guthe moved to approve Resolution R-04-7-502 Resolution of the Commission of Knox County, Tennessee, approving a contract with Volunteer Ministry Center to provide medical services for the indigent and homeless in Knox County. Commissioner Jordan seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Arms, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills, Clark and Pinkston voted aye. The motion carried 19-0-0-0.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE
COMMISSION OF KNOX COUNTY, TENNESSEE, APPROVING AN
EXCHANGE OF 7.1 ACRES OF KNOX COUNTY PARK LAND FOR 2.5
MILES OF GREENWAY EASEMENT LOCATED ON TWO
UNIVERSITY OF TENNESSEE PROPERTIES – R-04-7-701: (Book
19/Page 205)

Consideration of a resolution of the Commission of Knox County, Tennessee, approving an exchange of 7.1 acres of Knox County park land for 2.5 miles of greenway easement located on two University of Tennessee properties was before the Board of Commissioners.

Mr. Mike Ragsdale, Knox County Mayor, Mr. Doug Bataille, Director for the Knox County Parks and Recreation Department, and Mr. Dale Smith, Administrator/CEO for the Public Building Authority, were present and spoke on the matter.

Commissioner Guthe moved to approve Resolution R-04-7-701 Resolution of the Commission of Knox County, Tennessee, approving an exchange of 7.1 acres of Knox County park land for 2.5 miles of greenway easement located on two University of Tennessee properties. Commissioner Horner seconded the motion.

Commissioner Schmid moved as a substitute motion to defer to the August 2004 Board of Commissioners meeting Resolution R-04-7-701 - Resolution of the Commission of Knox County, Tennessee, approving an exchange of 7.1 acres of Knox County park land for 2.5 miles of greenway easement located on two University of Tennessee properties. Also included in the motion was to request the Knox County Property Assessor to appraise the property. Commissioner Guthe seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Arms, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills, Clark and Pinkston voted aye. The substitute motion carried 19-0-0-0.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE
COMMISSION OF KNOX COUNTY, TENNESSEE, APPROVING A
CONTRACT WITH NOVA INFORMATION SYSTEMS FOR CREDIT
CARD PROCESSING SERVICES FOR VARIOUS KNOX COUNTY
DEPARTMENTS – R-04-7-801: (Book 19/Page 206)

Consideration of a resolution of the Commission of Knox County, Tennessee, approving a contract with NOVA Information Systems for credit card processing services for various Knox County Departments was before the Board of Commissioners.

Commissioner Moody moved to withdraw from the agenda Resolution R-04-7-801 - Resolution of the Commission of Knox County, Tennessee, approving a contract with NOVA Information Systems for credit card processing services for various Knox County Departments.

Commissioner Guthe seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Arms, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills, Clark and Pinkston voted aye. The motion carried 19-0-0-0.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE
COMMISSION OF KNOX COUNTY, TENNESSEE, APPROPRIATING
FUNDS FOR COUNTY BUILDING IMPROVEMENTS MANAGED BY
PBA – R-04-7-802: (Book 19/Page 207)

Consideration of a resolution of the Commission of Knox County, Tennessee, appropriating funds for County Building Improvements managed by PBA was before the Board of Commissioners.

Commissioner Guthe moved to approve Resolution R-04-7-802 Resolution of the Commission of Knox County, Tennessee, appropriating funds for County Building Improvements managed by PBA. Commissioner Jordan seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Arms, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills, Clark and Pinkston voted aye. The motion carried 19-0-0-0.

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IN RE: ORDINANCES ON FIRST READING: (Book 19/Page 208)

IN RE: CONSIDERATION OF AN ORDINANCE OF THE
COMMISSION OF KNOX COUNTY, TENNESSEE, AMENDING KNOX
COUNTY CODE SECTION 62-186(A)(2) REGARDING PARKING
WITHIN FIRE OR OTHER DESIGNATED EMERGENCY ACCESS
LANES – O-04-7-101 – FIRST READING: (Book 19/Page 208)

Consideration of an Ordinance of the Commission of Knox County, Tennessee, amending Knox County Code Section 62-186(a) (2) regarding parking within fire or other designated emergency access lanes was before the Board of Commissioners on first reading.

Commissioner Guthe moved to approve Ordinance O-04-7-101 Ordinance of the Commission of Knox County, Tennessee, amending Knox County Code Section 62-186(a) (2) regarding parking within fire or other

designated emergency access lanes on first reading. Commissioner Leuthold seconded the motion.

Commissioner Moody moved as a substitute motion to defer to the September 2004 Board of Commissioners meeting Ordinance O-04-7-101 - Ordinance of the Commission of Knox County, Tennessee, amending Knox County Code Section 62-186(a) (2) regarding parking within fire or other designated emergency access lanes on first reading. Also included in the motion was for the Chairman to appoint a committee to study the current law and work with CTASK regarding this item and that the following individuals be appointed: Commissioners Collins, Moody and Cawood, Mr. Dwight VanDeVate and Mr. Mike Moyers, Knox County Law Director. Commissioner Horner seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Arms, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills, Clark and Pinkston voted aye. The substitute motion carried 19-0-0-0.

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IN RE: ROLL CALL – (4:00 P.M.): (Book 19/Page 209)

Mrs. Angie Nesbitt, Minutes Clerk to the Knox County Clerk, called the roll. Those Commissioners responding were Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills, Clark and Pinkston. Commissioners Guthe, Schmid and Arms arrived later in the meeting.

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IN RE: ZONING REQUESTS: (Book 19/Page 209-214)

1. Consideration of the request of Knox County Emergency Communications E-911 for a street name change from unnamed easement to Wrenwood Way was before the Board of Commissioners. Street located between Washington Pike and deadend. Seventh Commission District.
(Book 19/Page 209)

Commissioner Moore moved to approve zoning request 6-A-04-SNC - Request of Knox County Emergency Communications E-911 for a street name change from unnamed easement to Wrenwood Way. Commissioner Horner seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills, Clark and Pinkston voted aye. Commissioners Guthe, Schmid and Arms arrived later in the meeting. The motion carried 16-3-0-0. Street located between Washington Pike and deadend. Seventh Commission District.

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2. Consideration of the request of Roy M. Claiborne for rezoning from A Agricultural Zone to RA Low Density Residential Zone was before the Board of Commissioners. Property located on the northeast end of Todd Lane, northwest of Schaad Road. Sixth Commission District.
(Book 19/Page 210)

Mr. Ewing “Buzz” Johnson, Director of Development Services for Metropolitan Planning Commission, was present and spoke on the matter.

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

Commissioner Stephens moved to approve zoning request

6-A-04-RZ – Request of Roy M. Claiborne for rezoning from A Agricultural Zone to RA Low Density Residential Zone as per MPC’s recommendation. Commissioner Cawood seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills, Clark and Pinkston voted aye. Commissioners Guthe, Schmid and Arms arrived later in the meeting. The motion carried 16-3-0-0. Property located on the northeast end of Todd Lane, northwest of Schaad Road. Sixth Commission District.

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3. Consideration of the request of Richard Olinger for rezoning from RB General Residential Zone to CA General Business Zone was before the Board of Commissioners. Property located on the northeast side of Clinton Highway, northwest of West Emory Road. Sixth Commission District. (*Book 19/Page 210*)

Mr. Ewing “Buzz” Johnson, Director of Development Services for Metropolitan Planning Commission, was present and spoke on the matter.

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

Commissioner Stephens moved to approve zoning request 6-C-04-RZ - Request of Richard Olinger for rezoning from RB General Residential Zone to CA General Business Zone as per MPC’s recommendation. Commissioner Cawood seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Leuthold, Griess, Cawood, Stephens, Horner, Moore,

McMillan, Mills, Clark and Pinkston voted aye. Commissioners Schmid and Arms arrived later in the meeting. The motion carried 17-0-0-2.

Property located on the northeast side of Clinton Highway, northwest of West Emory Road. Sixth Commission District.

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4. Consideration of the request of Sarah Ralston for Southwest County Sector Plan amendment from MDR Medium Density Residential Zone to C Commercial Zone was before the Board of Commissioners.

Property located on the northeast side of Concord Road, north side of Second Drive. Fifth Commission District. (*Book 19/Page 211*)

Mr. Ewing “Buzz” Johnson, Director of Development Services for Metropolitan Planning Commission, Mr. Dave Hill, Executive Director for Metropolitan Planning Commission, and Mr. Mike Moyers, Knox County Law Director, were present and spoke on the matter.

Mr. Charles VanBeke, Attorney representing Sarah Ralston, was present and spoke on behalf of the request.

Ms. Belinda Moran and Mr. Jeffrey Rowl, area residents, were present and spoke in opposition to the request.

Commissioner Leuthold moved to approve zoning request 6-B-04-SP - Request of Sarah Ralston for Southwest County Sector Plan amendment from MDR Medium Density Residential Zone to C Commercial Zone.

Commissioner Griess moved as a substitute motion to approve the request of Sarah Ralston for Southwest County Sector Plan amendment from MDR Medium Density Residential Zone to C Commercial Zone as per MPC’s recommendation. The motion was seconded and upon roll call vote

Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Arms, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills, Clark and Pinkston voted aye. Commissioner Leuthold voted no. The motion carried 18-1-0-0. Property located on the northeast side of Concord Road, north side of Second Drive. Fifth Commission District.

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5. Consideration of the request of Sarah Ralston for rezoning from RA Low Density Residential Zone to CA General Business Zone was before the Board of Commissioners. Property located on the northeast side of Concord Road, north side of Second Drive. Fifth Commission District.
(Book 19/Page 212)

Mr. Ewing “Buzz” Johnson, Director of Development Services for Metropolitan Planning Commission, Mr. Dave Hill, Executive Director for Metropolitan Planning Commission, and Mr. Mike Moyers, Knox County Law Director, were present and spoke on the matter.

Mr. Charles VanBeke, Attorney representing Sarah Ralston, was present and spoke on behalf of the request.

Ms. Belinda Moran and Mr. Jeffrey Rowl, area residents, were present and spoke in opposition to the request.

Commissioner Leuthold moved to approve zoning request 6-F-04-RZ – Request of Sarah Ralston for rezoning from RA Low Density Residential Zone to CN Neighborhood Commercial as per MPC’s recommendation with the amendment to include retention of the old growth trees within the landscape buffer.

Commissioner Griess moved as a substitute motion to approve zoning request 6-F-04-RZ – Request of Sarah Ralston for rezoning from RA Low Density Residential Zone to CN Neighborhood Commercial Zone subject to the condition of a landscape buffer on the back side as per MPC’s recommendation. The motion was seconded and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Arms, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills, Clark and Pinkston voted aye. Commissioner Leuthold voted no. The motion carried 18-1-0-0. Property located on the northeast side of Concord Road, north side of Second Drive. Fifth Commission District.

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6. Consideration of the request of Sonya Kirby Johnson for rezoning from A Agricultural and F Floodway Zone to LI Light Industrial and F Floodway Zone was before the Board of Commissioners. Property located on the north side of Hardin Valley Road, west of Westcott Boulevard. Sixth Commission District. (*Book 19/Page 213*)

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

Commissioner Stephens moved to approve zoning request 6-O-04-RZ - Request of Sonya Kirby Johnson for rezoning from A Agricultural and F Floodway Zone to LI Light Industrial and F Floodway Zone as per MPC’s recommendation. Commissioner Cawood seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Leuthold, Griess, Cawood,

Stephens, Horner, Moore, McMillan, Mills, Clark and Pinkston voted aye. Commissioner Arms was absent from the vote. The motion carried 18-0-0-1. Property located on the north side of Hardin Valley Road, west of Westcott Boulevard. Sixth Commission District.

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7. Consideration of the request of Brian Charles Ray for rezoning from I Industrial Zone to A Agricultural Zone was before the Board of Commissioners. Property located on the east side of Mine Road, northeast of Flat Creek Lane. Eighth Commission District. (*Book 19/Page 214*)

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

Commissioner Mills moved to approve zoning request 6-Q-04-RZ – Request of Brian Charles Ray for rezoning from I Industrial Zone to A Agricultural Zone as per MPC’s recommendation. Commissioner McMillan seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills, Clark and Pinkston voted aye. Commissioner Arms was absent from the vote. The motion carried 18-0-0-1. Property located on the east side of Mine Road, northeast of Flat Creek Lane. Eighth Commission District.

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IN RE: AMENDMENTS TO THE KNOX COUNTY ZONING

ORDINANCE: (Book 19/Page 215)

IN RE: CONSIDERATION OF AN ORDINANCE OF THE
COMMISSION OF KNOX COUNTY, TENNESSEE, REGARDING
VARIANCES TO THE 500 FOOT SEPARATION REQUIREMENT FOR
BUSINESSES SELLING BEER FOR ON-PREMISE CONSUMPTION –
O-04-7-102 – (FIRST READING): (Book 19/Page215)

Consideration of an Ordinance of the Commission of Knox County, Tennessee, regarding variances to the 500 foot separation requirement for businesses selling beer for on-premise consumption was before the Board of Commissioners on first reading.

Commissioner Leuthold moved to approve Ordinance O-04-7-102 - Ordinance of the Commission of Knox County, Tennessee, regarding variances to the 500 foot separation requirement for businesses selling beer for on-premise consumption on first reading. Commissioner Mills seconded the motion and roll call vote Commissioners Arms, Leuthold, Cawood, Stephens, McMillan, Mills, Clark and Pinkston voted aye. Commissioners Jordan, Strickland, Collins, Harmon, Guthe, Schmid, Griess, Horner and Moore voted no. Commissioners Tindell and Moody abstained from the vote. The motion failed 8-9-2-0.

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IN RE: ROLL CALL BY DISTRICTS: (Book 19/Page 216)

Commissioner Collins dispensed with roll call by districts and called for adjournment.

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IN RE: ADJOURNMENT: (Book 19/Page 216)

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

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KNOX COUNTY BOARD OF COMMISSIONERS

DAVID COLLINS, CHAIRMAN

KNOX COUNTY BOARD OF COMMISSIONERS

The Knox County Board of Commissioners met in Regular Session on Monday, August 23, 2004 at 2:00 p.m. in the Main Assembly Room of the City-County Building, Main Avenue. Those members present were Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Arms, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills, Clark and Pinkston. Also present were Mr. Mike Moyers, Knox County Law Director, Mr. Mike Ragsdale, Knox County Mayor, Mr. Richard Walls, Knox County Internal Auditor, Mr. John Werner, Director, Knox County Finance.

Commissioner David Collins, Chairman, presided.

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

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IN RE: ROLL CALL: (Book 19, Pg. 217)

Mrs. Martha Beeler, Administrative Assistance, to Knox County Clerk, Mike Padgett called the roll.

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IN RE: DEVOTIONAL: (Book 19, Pg. 217)

Senior Minister Brent Hall, Concord United Methodist, gave the devotional.

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IN RE: PLEDGE OF ALLEGIANCE TO THE FLAG: (Book 19, Pg. 217)

Commissioner Scott Moore led the Pledge of Allegiance to the Flag.

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IN RE: AMENDMENTS TO THE AGENDA(Book 19, Pgs. 218-220)

Without objection, Commissioner Collins amended the agenda as follows:

Hear R-04-8-803 – Resolution of the Commission of Knox County, Tennessee approving an amended five-year Capital Improvement Plan for Fiscal Years 2005-2009 that includes \$40,000.000.00 for school capital construction projects and removes the new Downtown Library after the consent calendar.

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Move off consent calendar and hear on the regular agenda R-04-8-101 – Resolution honoring Commissioner Mike Arms for his years of service to Knox County.

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Add under Public Forum Mr. Lee Johnson regarding First Utility District and hear after R-04-8-803.

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Add to regular agenda R-04-8-404 – Resolution approving an amended lease agreement for the Carter Convenience Center.

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Defer to the September Board of Commissioners meeting R-04-8-916 – Resolution of the Commission of Knox County, Tennessee approving the participation in the Dolly Parton Imagination Library Project.

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Move off consent calendar and hear on the regular agenda R-04-8-102 – Resolution of the Commission of Knox County, Tennessee honoring Charlie Burchett.

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Withdraw from the agenda R-04-8-903 – Resolution of the Commission of Knox County, Tennessee appropriating funds for design and construction of the new Downtown Library.

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Withdraw from the agenda R-04-8-904 – Resolution of the Commission of Knox County, Tennessee appropriating funds to design, construct and equip the new Burlington Branch Library.

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Withdraw from the agenda R-04-8-905 – Resolution of the Commission of Knox County, Tennessee appropriating funds for design and construction at the Powell Community Park.

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Withdraw from the agenda R-04-8-906 – Resolution of the Commission of Knox County, Tennessee appropriating funds for design and construction at the Halls Community Park.

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Withdraw from the agenda R-04-8-907 – Resolution of the Commission of Knox County, Tennessee appropriating funds for renovation and improvements to the Beck Cultural Center.

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Withdraw from the agenda R-04-8-908 – Resolution of the Commission of Knox County, Tennessee appropriating funds for design and construction of the new Corryton Senior Center.

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Withdraw from the agenda R-04-8-909 – Resolution of the Commission of Knox County, Tennessee appropriating funds for design and construction of the new South Knox Senior Center.

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Withdraw from the agenda R-04-8-910 – Resolution of the Commission of Knox County, Tennessee appropriating funds for design and construction o the Halls Senior Center.

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Withdraw from the agenda R-04-8-703 – Resolution of the Commission of Knox County, Tennessee appropriating funds for improvements to the Concord Park sports fields.

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Add to the regular agenda R-04-8-914 – Resolution of the Commission of Knox County, Tennessee approving a \$50.00 pay increase for Election Workers, effective November 2004.

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Add to the regular agenda R-04-8-915 – Resolution of the Commission of Knox County, Tennessee requesting that Public Building Authority allow 2 hours of free parking in the Dwight Kessel Garage.

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At this time County Mayor Mike Ragsdale spoke on meeting the needs of Senior Citizens.

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IN RE: CONSENT ITEMS: (Book 19,Pg. 220)

Tax Refunds:

No tax refunds received.

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Notary Public:

225 Notary Public Applications received.

Commissioner Griess moved to approve the above consent items. Commissioner Horner seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Arms, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills, Clark and Pinkston voted aye. The motion carried 19-0-0-0.

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IN RE: EDUCATION CONSENT CALENDAR: (Book 19, Pg. 221)

No items received.

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IN RE: CONSENT CALENDAR:

IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE APPROVING A CONTRACT WITH THE STATE OF TENNESSEE FOR INTERLIBRARY LOAN SERVICE FUNDS FOR FISCAL YEAR 2005 IN THE AMOUNT OF \$6,521.00: R-04-8-203: (Book 19, Pg.s 221 & 222)

Consideration of a Resolution of the Commission of Knox County, Tennessee approving a contract with the State of Tennessee for Interlibrary Loan Service funds for fiscal year 2005 in the amount of \$6,521.00 was before the Board of Commissioners.

Commissioner Horner moved to approve R-04-8-203 - Consideration of a Resolution of the Commission of Knox County, Tennessee approving a contract with the State of Tennessee for Interlibrary Loan Service funds for fiscal year 2005 in the amount of \$6,521.00. Commissioner Moore seconded the motion and upon roll call vote

Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Arms, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills, Clark and Pinkston voted aye. The motion carried 19-0-0-0.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE APPROVING A MECHANICAL SERVICES (HVAC) CONTRACT BETWEEN TRANE COMPANY AND THE KNOX COUNTY SHERIFF'S OFFICE IN THE AMOUNT OF \$113,300.00: R-04-8-301: (Book 19, Pg. 222)

Consideration of a Resolution of the Commission of Knox County, Tennessee approving a Mechanical Services (HVAC) contract between Trane Company and the Knox County Sheriff's Office in the amount of \$113,300.00 was before the Board of Commissioners.

Commissioner Horner moved to approve R-04-8-301 - Consideration of a Resolution of the Commission of Knox County, Tennessee approving a Mechanical Services (HVAC) contract between Trane Company and the Knox County Sheriff's Office in the amount of \$113,300.00. Commissioner Moore seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Arms, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills, Clark and Pinkston voted aye. The motion carried 19-0-0-0.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE APPROVING A THREE-YEAR GRANT BETWEEN THE STATE OF TENNESSEE

**AND THE KNOX COUNTY COMMUNITY ALTERNATIVES TO
PRISON PROGRAM: R-04-8-302: (Book 19, Pgs. 222 & 223)**

Consideration of a Resolution of the Commission of Knox County, Tennessee approving a three-year grant between the State of Tennessee and the Knox County Community Alternatives to Prison Program was before the Board of Commissioners.

Commissioner Horner moved to approve R-04-8-302 - Consideration of a Resolution of the Commission of Knox County, Tennessee approving a three-year grant between the State of Tennessee and the Knox County Community Alternatives to Prison Program.

Commissioner Moore seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Arms, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills, Clark and Pinkston voted aye. The motion carried 19-0-0-0.

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**IN RE: CONSIDERATION OF A RESOLUTION OF THE
COMMISSION OF KNOX COUNTY, TENNESSEE APPROVING A
CONTRACT BETWEEN KUB FOR GAS LINE RELOCATION FOR
DUTCHTOWN ROAD, PHASE I, ROAD IMPROVEMENT PROJECT:
R-04-8-401: (Book 19, Pgs. 223 & 224)**

Consideration of a Resolution of the Commission of Knox County, Tennessee approving a contract between KUB for gas line relocation for Dutchtown Road, Phase I, road improvement project was before the Board of Commissioners.

Commissioner Horner moved to approve R-04-8-401 - Consideration of a Resolution of the Commission of Knox County,

Tennessee approving a contract between KUB for gas line relocation for Dutchtown Road, Phase I, road improvement project. Commissioner Moore seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Arms, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills, Clark and Pinkston voted aye. The motion carried 19-0-0-0.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE
COMMISSION OF KNOX COUNTY, TENNESSEE APPROVING A
GRANT AGREEMENT WITH THE STATE OF TENNESSEE
DEPARTMENT OF TRANSPORTATION FOR THE 2004-2005 LITTER
GRANT IN THE AMOUNT OF \$129,230.00: R-04-8-402: (Book 19, Pg.
224)

Consideration of a Resolution of the Commission of Knox County, Tennessee approving a grant agreement with the State of Tennessee Department of Transportation for the 2004-2005 Litter Grant in the amount of \$129,230.00 was before the Board of Commissioners.

Commissioner Horner moved to approve R-04-8-402 - Consideration of a Resolution of the Commission of Knox County, Tennessee approving a grant agreement with the State of Tennessee Department of Transportation for the 2004-2005 Litter Grant in the amount of \$129,230.00. Commissioner Moore seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Arms, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills, Clark and Pinkston voted aye. The motion carried 19-0-0-0.

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**IN RE: CONSIDERATION OF A RESOLUTION OF THE
COMMISSION OF KNOX COUNTY, TENNESSEE APPROVING A
CONTRACT WITH TDOT FOR STRAWBERRY PLAINS PIKE
INTERSECTION IMPROVEMENTS: R-04-8-403: (Book 19, Pg. 225)**

Consideration of a Resolution of the Commission of Knox County, Tennessee approving a contract with TDOT for Strawberry Plains Pike Intersection improvements was before the Board of Commissioners.

Commissioner Horner moved to approve R-04-8-403 - Consideration of a Resolution of the Commission of Knox County, Tennessee approving a contract with TDOT for Strawberry Plains Pike Intersection improvements. Commissioner Moore seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Arms, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills, Clark and Pinkston voted aye. The motion carried 19-0-0-0.

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**IN RE: CONSIDERATION OF A RESOLUTION OF THE
COMMISSION OF KNOX COUNTY, TENNESSEE APPROVING A
CONTRACT WITH TENNESSEE CONFERENCE COMMUNITY
DEVELOPMENT TO PROVIDE YOUTH ENRICHMENT SERVICES:
R-04-8-501(Book 19, Pgs. 225 & 226)**

Consideration of a Resolution of the Commission of Knox County, Tennessee approving a contract with Tennessee Conference Community Development to provide youth enrichment services was before the Board of Commissioners.

Commissioner Horner moved to approve R-04-8-501 - Consideration of a Resolution of the Commission of Knox County,

Tennessee approving a contract with Tennessee Conference Community Development to provide youth enrichment services. Commissioner Moore seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Arms, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills, Clark and Pinkston voted aye. The motion carried 19-0-0-0.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE
COMMISSION OF KNOX COUNTY, TENNESSEE APPROVING A
CONTRACT WITH LAMAR DUNN ENGINEERING FOR KNOX
COUNTY ECONOMIC DEVELOPMENT INITIATIVE PROJECTS:
R-04-8-502: (Book 19, Pg. 226)

Consideration of a Resolution of the Commission of Knox County, Tennessee approving a contract with Lamar Dunn Engineering for Knox County Economic Development Initiative Projects was before the Board of Commissioners.

Commissioner Horner moved to approve R-04-8-502 - Consideration of a Resolution of the Commission of Knox County, Tennessee approving a contract with Lamar Dunn Engineering for Knox County Economic Development Initiative Projects. Commissioner Moore seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Arms, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills, Clark and Pinkston voted aye. The motion carried 19-0-0-0.

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

UTILITY EASEMENT AT CONCORD PARK TO SERVICE CONCORD

MARINA: R-04-8-702: (Book 19, Pgs. 226 & 227)

Consideration of a Resolution of the Commission of Knox County, Tennessee approving gas utility easement at Concord Park to service Concord Marina was before the Board of Commissioners.

Commissioner Horner moved to approve R-04-8-702 - Consideration of a Resolution of the Commission of Knox County, Tennessee approving gas utility easement at Concord Park to service Concord Marina. Commissioner Moore seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Arms, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills, Clark and Pinkston voted aye. The motion carried 19-0-0-0.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE APPROPRIATING \$12,500.00 FROM THE AIR QUALITY MANAGEMENT PERMIT FEES FUND BALANCE TO PROVIDE A 20% MATCH OR THE REGIONAL CLEAN AIR COALITION GRANT: R-04-8-801: (Book 19, Pgs. 227 & 228)

Consideration of a Resolution of the Commission of Knox County, Tennessee appropriating \$12,500.00 from the Air Quality Management Permit Fees Fund Balance to provide a 20% match or the Regional Clean Air Coalition Grant was before the Board of Commissioners.

Commissioner Horner moved to approve R-04-8-801 - Consideration of a Resolution of the Commission of Knox County, Tennessee appropriating \$12,500.00 from the Air Quality Management

Permit Fees Fund Balance to provide a 20% match or the Regional Clean Air Coalition Grant. Commissioner Moore seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Arms, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills, Clark and Pinkston voted aye. The motion carried 19-0-0-0.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE
COMMISSION OF KNOX COUNTY, TENNESSEE APPROVING A
GRANT AGREEMENT WITH THE STATE OF TENNESSEE
DEPARTMENT OF HUMAN SERVICES FOR FUNDING OF IV-D
CHILD SUPPORT SERVICES: R-04-8-902(Book 19, Pg. 228)

Consideration of a Resolution of the Commission of Knox County, Tennessee approving a grant agreement with the State of Tennessee Department of Human Services for funding of IV-D Child Support Services was before the Board of Commissioners.

Commissioner Horner moved to approve R-04-8-902 - Consideration of a Resolution of the Commission of Knox County, Tennessee approving a grant agreement with the State of Tennessee Department of Human Services for funding of IV-D Child Support Services. Commissioner Moore seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Arms, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills, Clark and Pinkston voted aye. The motion carried 19-0-0-0.

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IN RE: AMENDMENT TO THE AGENDA (Book 19, Pgs. 228 & 229)

At this time R-04-8-803 was heard next on the agenda.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE APPROVING AN AMENDED FIVE YEAR CAPITAL IMPROVEMENT PLAN FOR FISCAL YEARS 2005-2009 THAT INCLUDES A NEW WEST KNOX COUNTY HIGH SCHOOL (NOTE THE RESOLUTION WAS REVISED TO READ AS FOLLOWS) (Book 19, Pg. 229)

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IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE APPROVING AN AMENDED FIVE-YEAR CAPITAL IMPROVEMENT PLAN FOR FISCAL YEARS 2005-2009 THAT INCLUDES \$40,000,000.00 FOR SCHOOL CAPITAL CONSTRUCTION PROJECTS AND REMOVES THE NEW DOWNTOWN LIBRARY: R-04-8-803: (Book 19, Pgs. 229, 230, & 231)

Consideration of a Resolution of the Commission of Knox County, Tennessee approving an amended Five-Year Capital Improvement Plan for Fiscal years 2005-2009 that includes \$40,000,000.00 for School Capital Construction Projects and removes the new Downtown Library was before the Board of Commissioners.

Mr. Mike Moyers, Knox County Law Director, was present and spoke on the matter.

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

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

Commissioner Griess moved to approve R-04-8-803 - Consideration of a Resolution of the Commission of Knox County, Tennessee approving an amended Five-Year Capital Improvement Plan for Fiscal years 2005-2009 that includes \$40,000,000.00 for School Capital Construction Projects and removes the new Downtown Library with the following amendment: Add NOW THEREFORE BE IT RESOLVED BY THE COMMISSION OF KNOX COUNTY AS FOLLOWS:

The Amended Five-Year Capital Plan for fiscal years 2005-2009 that includes \$40,000,000.00 for school capital construction projects and removes the Downtown Library, attached hereto and incorporated into this Resolution by reference, is hereby adopted and approved. Commissioner Leuthold seconded the motion.

Commissioner Moore moved as a substitute motion to delete a new Knox County High School and remove the Downtown Library on R-04-8-803 - Consideration of a Resolution of the Commission of Knox County, Tennessee approving an amended Five-Year Capital Improvement Plan for Fiscal years 2005-2009 that includes \$40,000,000.00 for School Capital Construction Projects and removes the new Downtown Library. Commissioner Mills seconded the motion and upon roll call vote Commissioner Moore voted aye. Commissioners Jordan, Strickland, Collins, Moody, Harmon, Guthe, Schmid, Arms, Leuthold, Griess, Cawood, Stephens, Horner, McMillan, Clark and Pinkston voted no. Commissioners Tindell and Mills abstained from the vote. The substitute motion failed 1-16-2-0.

Upon roll call of the original motion to approve R-04-8-803 -

Consideration of a Resolution of the Commission of Knox County, Tennessee approving an amended Five-Year Capital Improvement Plan for Fiscal years 2005-2009 that includes \$40,000,000.00 for School Capital Construction Projects and removes the new Downtown Library with the following amendment: Add NOW THEREFORE BE IT RESOLVED BY THE COMMISSION OF KNOX COUNTY AS FOLLOWS:

The Amended Five-Year Capital Plan for fiscal years 2005-2009 that includes \$40,000,000.00 for school capital construction projects and removes the Downtown Library, attached hereto and incorporated into this Resolution by reference, is hereby adopted and approved, Commissioners Jordan, Strickland, Collins, Moody, Harmon, Guthe, Schmid, Arms, Leuthold, Griess, Stephens and Horner voted aye. Commissioners Cawood, Moore, McMillan, Mills, Clark and Pinkston voted no. Commissioner Tindell abstained from the vote. The original motion carried 12-6-1-0.

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IN RE: AMENDMENT TO THE AGENDA: (Book 19, Pg. 231)

At this time Mr. Lee Johnson, spokesperson for the Ralston Family was present and spoke on condemnation proceedings by First Utility District.

Without objection, Commissioner Collins added the following Resolution to the agenda: R-04-7-917 –Consideration of a Resolution of the Commission of Knox County, Tennessee encouraging the First Utility District’s Management to engage the community in a constructive dialogue and in the spirit of compromise.

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

**THE FIRST UTILITY DISTRICT'S MANAGEMENT TO ENGAGE
THE COMMUNITY IN A CONSTRUCTIVE DIALOGUE AND IN THE
SPIRIT OF COMPROMISE: R-04-8-917: (Book 19, Pgs. 231 & 232)**

Consideration of a Resolution of the Commission of Knox County, Tennessee encouraging the First Utility District's Management to engage the community in a constructive dialogue and in the spirit of compromise was before the Board of Commissioners.

Commissioner Leuthold moved to approve R-04-8-917 - Consideration of a Resolution of the Commission of Knox County, Tennessee encouraging the First Utility District's Management to engage the community in a constructive dialogue and in the spirit of compromise.

Commissioner Griess seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Arms, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills, Clark and Pinkston voted aye. The motion carried 19-0-0-0.

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**IN RE: CONSIDERATION OF A RESOLUTION OF THE
COMMISSION OF KNOX COUNTY, TENNESSEE HONORING
COMMISSIONER MIKE ARMS FOR HIS YEARS OF SERVICE TO
KNOX COUNTY: R-04-8-101: (Book 19, Pgs. 232 & 233)**

Consideration of a Resolution of the Commission of Knox County, Tennessee honoring Commissioner Mike Arms for his years of service to Knox County was before the Board of Commissioners.

Commissioner Mike Arms, was present and thanked the Knox County Commission for the resolution.

Commissioner Leuthold moved to approve R-04-8-101 –

Consideration of a Resolution of the Commission of Knox County, Tennessee honoring Commissioner Mike Arms for his years of service to Knox County. Commissioner Griess seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Harmon, Guthe, Schmid, Arms, Leuthold, Griess, Cawood, Stephens, Horner, Moore, Mills and Pinkston voted aye. The motion carried 15-0-0-4. Commissioners Tindell, Moody, McMillan and Clark were absent from the vote.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE
COMMISSION OF KNOX COUNTY, TENNESSEE HONORING
CHARLIE BURCHETT: R-04-8-102: (Book 19, Pg. 233)

Consideration of a Resolution of the Commission of Knox County, Tennessee honoring Charlie Burchett was before the Board of Commissioners.

Mr. Charlie Burchett, was present and spoke on the matter.

Mr. Bill Tallent, former Knox County Finance Commissioner, was present and spoke on the matter.

Commissioner Moody moved to approve R-04-8-102 -
Consideration of a Resolution of the Commission of Knox County, Tennessee honoring Charlie Burchett. Commissioner Harmon seconded he motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Moody, Harmon, Guthe, Schmid, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills, Clark and Pinkston voted aye. The motion carried 17-0-0-2. Commissioners Tindell and Arms were absent from the vote.

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IN RE: CONSIDERATION OF APPROVAL OF MINUTES OF THE PREVIOUS MEETING: (Book 19, Pgs. 233 & 234)

Consideration of approval of minutes of the previous meeting was before the Board of Commissioners.

Commissioner Horner moved to approve the minutes of the previous meeting. Commissioner Cawood seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Arms, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills, Clark and Pinkston voted aye. The motion carried 19-0-0-0.

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IN RE: ELECTIONS AND APPOINTMENTS:

IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE APPOINTING LAUNA PENNELL TO THE SHERIFF'S MERIT COUNCIL AND APPOINTING TERRY E. LEWIS AS AN ALTERNATE:

R-04-8-110: (Book 19, Pg. 234)

Consideration of a Resolution of the Commission of Knox County, Tennessee appointing Launa Pennell to the Sheriff's Merit Council and appointing Terry E. Lewis as an alternate was before the Board of Commissioners.

Commissioner Guthe moved to approve R-04-8-110 - Consideration of a Resolution of the Commission of Knox County, Tennessee appointing Launa Pennell to the Sheriff's Merit Council and appointing Terry E. Lewis as an alternate. Commissioner Horner seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Arms, Leuthold, Griess,

Cawood, Stephens, Horner, Moore, McMillan, Mills, Clark and Pinkston voted aye. The motion carried 19-0-0-0.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE APPOINTING HARRY CALL TO THE HEALTH, EDUCATIONAL AND HOUSING FACILITY BOARD OF THE COUNTY OF KNOX: R-04-8-111: (Book 19, Pg. 235)

Consideration of a Resolution of the Commission of Knox County, Tennessee appointing Harry Call to the Health, Educational and Housing Facility Board of the County of Knox was before the Board of Commissioners.

Commissioner Guthe moved to approve R-04-8-111 - Consideration of a Resolution of the Commission of Knox County, Tennessee appointing Harry Call to the Health, Educational and Housing Facility Board of the County of Knox. Commissioner Horner seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Arms, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills, Clark and Pinkston voted aye. The motion carried 19-0-0-0.

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IN RE: DRIVES AND ROADS: (Book 19, Pgs. 235 & 236)

Consideration of closure of Dannaher Lane was before the Board of Commissioners on second reading. Property located off East Emory Road, north of Conner Road. Property owner: St. Mary's Health System.

Commissioner Guthe moved to approve closure of Dannaher Lane on second reading. Property located off East Emory Road, north of Conner Road. Property owner: St. Mary's Health System. Commissioner Horner seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Arms, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills, Clark and Pinkston voted aye. The motion carried 19-0-0-0.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE APPROVING THE 2004-2005 GENERAL PURPOSE SCHOOLS FUNDS BUDGET: R-04-8-201: (Book 19, Pg. 236)

Consideration of a Resolution of the Commission of Knox County, Tennessee approving the 2004-2005 General Purpose Schools Funds Budget was before the Board of Commissioners.

Mr. Bob Thomas, Assistant Superintendent, Knox County Schools, was present and spoke on the matter.

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

Commissioner Guthe moved to defer to the September 8, 2004 Board of Commissioners Special Meeting on R-04-8-201 - Consideration of a Resolution of the Commission of Knox County, Tennessee approving the 2004-2005 General Purpose Schools Funds Budget. Commissioner Horner seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Arms, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills, Clark and Pinkston voted aye. The motion carried 19-0-0-0.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE
COMMISSION OF KNOX COUNTY, TENNESSEE APPROPRIATING
\$2,038,628.00 AND APPROVING A CONTRACT WITH EVANS
CONTRACTING COMPANY FOR WEST HIGH SCHOOL
LIBRARY/MEDIA CENTER ADDITION AND CAFETERIA
RENOVATION: R-04-8-202: (Book 19, Pgs. 236 , 237 & 238)

Consideration of a Resolution of the Commission of Knox County, Tennessee appropriating \$2,038,628.00 and approving a contract with Evans Contracting Company for West High School Library/Media Center Addition and Cafeteria Renovation was before the Board of Commissioners.

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

Mr. Dan Murphy, Knox County School Board member and Management and Performance Review Committee member, was present and spoke on the matter.

Commissioner Guthe moved to defer to the September 8, 2004 Board of Commissioners Special Meeting on R-04-8-202 - Consideration of a Resolution of the Commission of Knox County, Tennessee appropriating \$2,038,628.00 and approving a contract with Evans Contracting Company for West High School Library/Media Center Addition and Cafeteria Renovation. Commissioner Horner seconded the motion.

Commissioner Jordan moved as a substitute motion to approve R-04-8-202 - Consideration of a Resolution of the Commission of Knox County, Tennessee appropriating \$2,038,628.00 and approving a contract with Evans Contracting Company for West High School Library/Media

Center Addition and Cafeteria Renovation. The motion was seconded and upon roll call vote Commissioners Jordan, Strickland, Tindell, Moody, Harmon, Schmid, Arms and Moore voted aye. Commissioners Collins, Guthe, Griess, Cawood, Stephens, Horner, McMillan, Mills, Clark and Pinkston voted no. Commissioner Leuthold abstained from the vote. The substitute motion failed 8-10-1-0.

Upon roll call vote of the original motion to defer to the September 8, 2004 Special Session Board of Commissioners meeting on R-04-8-202 - Consideration of a Resolution of the Commission of Knox County, Tennessee appropriating \$2,038,628.00 and approving a contract with Evans Contracting Company for West High School Library/Media Center Addition and Cafeteria Renovation, Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Arms, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills, Clark and Pinkston voted aye. The motion carried 19-0-0-0.

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IN RE: ZONING REQUESTS: 4:00 P.M.

IN RE: ROLL CALL: (Book 19, Pg. 238)

Mrs. Martha Beeler called the roll those responding were Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Arms, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills, Clark and Pinkston.

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IN RE: AMENDMENT TO THE AGENDA: (Book 19, Pg. 238)

Commissioner Mills moved to withdraw from the agenda Rezoning Appeal 6-D-04-SP – Appeal by John Valliant, Jr., Attorney for Applicant, of MPC denial of Northeast County Sector Plan amendment from

A/RR/(Agricultural)/Rural Residential) to C (Commercial). Commissioner Griess seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Arms, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills, Clark and Pinkston voted aye. The motion carried 19-0-0-0. (Book 19, Pgs. 238 & 239)

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Commissioner Mills moved to withdraw from the agenda Rezoning Appeal by John Valliant, Jr., Attorney for Applicant, of MPC denial of rezoning from A (Agricultural) to CR (Rural Commercial). Commissioner Griess seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Arms, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills, Clark and Pinkston voted aye. The motion carried 19-0-0-0. (Book 19, Pg. 239)

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Request of Metropolitan Planning Commission for approval of the 2004 update of the Major Road Plan for the City of Knoxville and Knox County 7-A-04-MP was before the Board of Commissioners.

Mr. David Hill, Executive Director, Metropolitan Planning Commission, was present and spoke on the matter.

Commissioner Griess moved to approve the Request of Metropolitan Planning Commission for approval of the 2004 update of the Major Road Plan for the City of Knoxville and Knox County. Commissioner Griess seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon,

Guthe, Schmid, Arms, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills, Clark and Pinkston voted aye. The motion carried 19-0-0-0. (Book 19, Pg. 239)

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Request of Crossroads Properties, LLC for rezoning from A (Agricultural) to RA (Low Density Residential) 6-H-04-RZ was before the Board of Commissioners. Property located on the southeast side of E. Emory Road, southwest of Beeler Road. (Seventh Commission District)

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

Commissioner Horner moved to approve 6-H-04-RZ - Request of Crossroads Properties, LLC for rezoning from A (Agricultural) to RA (Low Density Residential) as per Metropolitan Planning Commission's Recommendation: Approve RZ (Low Density Residential). Commissioner Moore seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Arms, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills, Clark and Pinkston voted aye. The motion carried 19-0-0-0. Book 19, Pgs. 239 & 240)

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Request of Smith Campbell Joint Venture for Northwest County Sector Plan Amendment from TP (Technology Park) to LDR (Low Density Residential) 6-C-04-SP was before the Board of Commissioners. Property located on the south and east sides of Sam Lee Road, west of Solway Road. (Sixth Commission District)

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

Commissioner Cawood moved to defer to the September Board of Commissioners meeting 6-C-04-SP - Request of Smith Campbell Joint Venture for Northwest County Sector Plan Amendment from TP (Technology Park) to LDR (Low Density Residential). Commissioner Horner seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Arms, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills, Clark and Pinkston voted aye. The motion carried 19-0-0-0. (Book 19, Pgs. 240 & 241)

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Request of Smith Campbell Joint Venture for rezoning from BP (Business and Technology) /TO (Technology Overlay) to PR (Planned Residential)/TO (Technology Overlay) 6-J-04-RZ was before the Board of Commissioners. Property located on the south and east sides of Sam Lee Road, west of Solway Road. (Sixth Commission District)

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

Commissioner Cawood moved to defer to the September Board of Commissioners meeting 6-J-04-RZ - Request of Smith Campbell Joint Venture for rezoning from BP (Business and Technology) /TO (Technology Overlay) to PR (Planned Residential)/TO (Technology Overlay). Commissioner Horner seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Arms, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills, Clark and Pinkston voted aye. The motion carried 19-0-0-0. (Book 19, Pg. 241)

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Request of Larry and Laura Bailey for rezoning from A (Agricultural) to CA (General Business) 7-A-04-RZ was before the Board of Commissioners. Property located on the southwest side of Brickyard Road, southeast of W. Emory Road. (Sixth Commission District)

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

Commissioner Cawood moved to approve 7-A-04- RZ - Request of Larry and Laura Bailey for rezoning from A (Agricultural) to CA (General Business). Commissioner Moore seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Arms, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills, Clark and Pinkston voted aye. The motion carried 19-0-0-0. (Book 19, Pgs. 241 & 242)

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Request of Ann Ruffner for rezoning from A (Agricultural) to CA (General Business) 7-C-04-RZ was before the Board of Commissioners. Property located on the west side of Tazewell Pike, north side of Fairview Road. (Eighth Commission District)

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

Commissioner Mills moved to approve 7-C-04-RZ - Request of Ann Ruffner for rezoning from A (Agricultural) to CA (General Business) as per Metropolitan Planning Commission's Recommendation: Approve CA (General Business). Commissioner McMillan seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Harmon, Guthe, Schmid, Arms, Leuthold, Griess, Cawood, Horner, Moore, McMillan, Mills, Clark and Pinkston voted aye. The motion carried

17-0-0-2. Commissioners Moody and Stephens were absent from the vote.
(Book 19, Pgs. 242 & 243)

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Request of Brian Winstead for rezoning from A (Agricultural) to RA (Low Density Residential) 7-E-04-RZ was before the Board of Commissioners. Property located on the east side of Burriss Road, south of N. Ruggles Ferry Road.

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

Commissioner Mills moved to approve 7-E-04-RZ - Request of Brian Winstead for rezoning from A (Agricultural) to RA (Low Density Residential) as per Metropolitan Planning Commission's Recommendation: Approve Low Density Residential) Commissioner McMillan seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Arms, Leuthold, Griess, Cawood, Horner, Moore, McMillan, Mills, Clark and Pinkston voted aye. The motion carried 18-0-0-1. Commissioner Stephens was absent from the vote. (Book 19, Pg. 243)

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Request of Landview, LLC for rezoning from A (Agricultural) to PR (Planned Residential) 7-G-04-RZ was before the Board of Commissioners. Property located on the east side of Thompson Road, south side of Hardin Valley Road. (Sixth Commission District)

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

Commissioner Cawood moved to approve 7-G-04-RZ - Request of Landview, LLC for rezoning from A (Agricultural) to PR (Planned

Residential) at a density of 1 to 5 dwelling units per acre. Commissioner Jordan seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Arms, Leuthold, Griess, Cawood, Horner, Moore, McMillan, Mills, Clark and Pinkston voted aye. The motion carried 18-0-0-1. Commissioner Stephens was absent from the vote. (Book 19, Pg. 243)

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Request of J. D. C. for Northwest County Sector Plan

Amendment from A/RR (Agricultural)/ (Rural Residential) to LDR (Low Density Residential) 7-D-04-SP was before the Board of Commissioners. Property located on the southeast side of Washington Pike, southeast of Wise Springs Road. (Eighth Commission District)

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

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

Commissioner Mills moved to approve 7-D-04-SP - Request of J. D. C. for Northwest County Sector Plan Amendment from A/RR (Agricultural)/(Rural Residential) to LDR (Low Density Residential). Commissioner McMillan seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Arms, Leuthold, Griess, Cawood, Horner, Moore, McMillan, Mills, Clark and Pinkston voted aye. The motion carried 18-0-0-1. Commissioner Stephens was absent from the vote. (Book 19, Pg. 244)

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Request of J. D. C. for rezoning from A (Agricultural) and CA (General Business) to PR (Planned Residential) 7-J-04-RZ was before the Board of Commissioners. Property located on the southeast side of Washington Pike, southeast of Wise Springs Road. (Eighth Commission District) (Book 19, Pgs. 244 & 245)

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

Mr. Robert Campbell, representing applicant, was present and spoke on the matter.

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

Ms. Teresa Lyons, area resident, was present and spoke in opposition to the request.

Mr. David Hill, Executive Director, Metropolitan Planning Commission, was present and spoke on the matter.

Commissioner McMillan moved to approve 7-J-04-RZ - Request of J. D. C. for rezoning from A (Agricultural) and CA (General Business) to PR (Planned Residential) as per Metropolitan Planning Commission's Recommendation: Approve PR (Planned Residential) at a density of 1 to 3 dwelling units per acre. Commissioner Mills seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Arms, Leuthold, Griess, Cawood, Horner, Moore, McMillan, Mills, Clark and Pinkston voted aye. The motion carried 18-0-0-1. Commissioner Stephens was absent from the vote.

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Request of Zaxby's Holdings, LLC from OB (Office, Medical, and Related Services) to CA (General Business) 7-K-04-RZ was before the

Board of Commissioners. Property located on the north side of Kingston Pike, west of Cogdill Road. (Fifth Commission District)

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

Commissioner Griess moved to approve 7-K-04-RZ - Request of Zaxby's Holdings, LLC from OB (Office, Medical, and Related Services) to CA (General Business). Commissioner Horner seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Arms, Leuthold, Griess, Cawood, Horner, Moore, McMillan, Mills, Clark and Pinkston voted aye. The motion carried 18-0-0-1. Commissioner Stephens was absent from the vote. (Book 19, Pgs. 245 & 246)

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Request of Fuller and Sims Development for rezoning from A (Agricultural) to PR (Planned Residential) 7-L-04- RZ was before the Board of Commissioners. Property located on the northwest side of S. Northshore Drive, southwest of Whittington Creek Blvd. (Fourth Commission District)

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

Commissioner Schmid moved to approve 7-L-04-RZ - Request of Fuller and Sims Development for rezoning from A (Agricultural) to PR (Planned Residential) as per Metropolitan Planning Commission's Recommendation: Approve PR (Planned Residential at a density of 1 to 4 dwelling units per acre. Commissioner Horner seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Schmid, Arms, Leuthold, Griess, Cawood, Horner, Moore, McMillan, Mills, Clark and Pinkston voted aye. The motion carried

17-0-0-2. Commissioners Stephens and Guthe were absent from the vote.

(Book 19, Pgs. 246 & 247)

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Request of Holsinger Construction, LLC for rezoning from A (Agricultural) to PR (Planned Residential) 7-Q-04-RZ was before the Board of Commissioners. Property located on the northwest end of Shoffner Lane, southeast of Caggage Drive, northwest of Hill Road. (Seventh Commission District)

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

Commissioner Horner moved to approve 7-Q-04-RZ - Request of Holsinger Construction, LLC for rezoning from A (Agricultural) to PR (Planned Residential) as per Metropolitan Planning Commission's Recommendation: Approve PR (Planned Residential at a density of 1 to 3 dwelling units per acre. Commissioner Leuthold seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Schmid, Arms, Leuthold, Griess, Cawood, Horner, Moore, McMillan, Mills, Clark and Pinkston voted aye. The motion carried

17-0-0-2. Commissioners Stephens and Guthe were absent from the vote.

(Book 19, Pgs. 246 & 247)

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Request of Jim Turner for Northwest County Sector Plan Amendment from MU (Mixed Uses) and SLPA (Slope Protection) to C (Commercial) and SLPA (Slope Protection) 7-E-04-SP was before the Board of Commissioners. Property located on the southwest side of Middlebrook Pike, southwest of Fredrick Drive. (Sixth Commission District)

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

Commissioner Cawood moved to approve 7-E-04-SP - Request of Jim Turner for Northwest County Sector Plan Amendment from MU (Mixed Uses) and SLPA (Slope Protection) to C (Commercial) and SLPA (Slope Protection). Commissioner Horner seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Schmid, Arms, Leuthold, Griess, Cawood, Horner, Moore, McMillan, Mills, Clark and Pinkston voted aye. The motion carried 17-0-0-2. Commissioners Stephens and Guthe were absent from the vote. (Book 19, Pg. 247)

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Request of Jim Turner for rezoning from OA (Office Park) to CA (General Business) 7-R-04-RZ was before the Board of Commissioners. Property located on the southwest side of Middlebrook Pike, southwest of Fredrick Drive. (Sixth Commission District)

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

Commissioner Cawood moved to approve 7-R-04-RZ - Request of Jim Turner for rezoning from OA (Office Park) to CA (General Business). Commissioner Horner seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Schmid, Arms, Leuthold, Griess, Cawood, Horner, Moore, McMillan, Mills, Clark and Pinkston voted aye. The motion carried 17-0-0-2. Commissioners Stephens and Guthe were absent from the vote. (Book 19, Pg. 248)

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Request of Katherine Wyrosdick for Thomas Ford for Northwest County Sector Plan Amendment from LDR (Low Density Residential) to C (Commercial) 7-A-04-SP was before the Board of Commissioners. Property located on the southeast side of Hall Drive, southwest of Eagles Landing Way. (Fifth Commission District)

Mr. Buzz Johnson, Deputy Director, Metropolitan Planning Commission, was present and spoke stating the applicant submitted a request to reduce the area. It will be approximately 350 feet from the frontage road.

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

Commissioner Griess moved to approve 7-A-04-SP - Request of Katherine Wyrosdick for Thomas Ford for Northwest County Sector Plan Amendment from LDR (Low Density Residential) to C (Commercial) as per Metropolitan Planning Commission's Recommendation and as amended: Approve C (Commercial) and the request to reduce the area. It will be approximately 350 feet from the frontage road. Commissioner Leuthold seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Arms, Leuthold, Griess, Cawood, Horner, Moore, McMillan, Mills, Clark and Pinkston voted aye. The motion carried 18-0-0-1. Commissioner Stephens was absent from the vote. (Book 19, Pgs. 248 & 249)

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IN RE: RESOLUTIONS: CONTINUED:

IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE APPROVING AN AMENDED LEASE AGREEMENT FOR THE CARTER CONVENIENCE CENTER: R-04-8-404: (Book 19, Pg. 249)

Consideration of a Resolution of the Commission of Knox County, Tennessee approving an amended lease agreement for the Carter Convenience Center was before the Board of Commissioners.

Commissioner McMillan moved to approve R-04-8-404 – Consideration of a Resolution of the Commission of Knox County, Tennessee approving an amended lease agreement for the Carter Convenience Center. Commissioner Cawood seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Arms, Leuthold, Griess, Cawood, Horner, Moore, McMillan, Mills, Clark and Pinkston voted aye. The motion carried 18-0-0-1. Commissioner Stephens was absent from the vote.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE APPROVING AN EXCHANGE OF 7.1 ACRES OF KNOX COUNTY PARK LAND FOR 3.5 MILES OF GREENWAY EASEMENT LOCATED ON TWO UNIVERSITY OF TENNESSEE PROPERTIES: R-04-8-701 (Book 19, Pgs. 250 & 251)

Consideration of a Resolution of the Commission of Knox County, Tennessee approving an exchange of 7.1 acres of Knox County park land for 3.5 miles of greenway easement located on two University of Tennessee properties was before the Board of Commissioners.

Mr. Doug Bataille, Director, Knox County Recreation Department, was present and spoke on the matter.

Mr. Robbie Stivers, Director, Real Estate Administration, University of Tennessee, was present and spoke on the matter.

Commissioner Guthe moved to approve R-04-8-701 -

Consideration of a Resolution of the Commission of Knox County, Tennessee approving an exchange of 7.1 acres of Knox County park land for 3.5 miles of greenway easement located on two University of Tennessee properties. Commissioner Arms seconded the motion.

Commissioner Clark moved as a substitute motion to defer to the November 2004 Board of Commissioners meeting R-04-8-701 – Consideration of a Resolution of the Commission of Knox County, Tennessee approving an exchange of 7.1 acres of Knox County park land for 3.5 miles of greenway easement located on two University of Tennessee properties. Commissioner Horner seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Arms, Leuthold, Griess, Cawood, Horner, Moore, McMillan, Mills, Clark and Pinkston voted aye. The motion carried 18-0-0-1. Commissioner Stephens was absent from the vote.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE APPROVING THE AMOUNTS OF DESIGNATED AT FISCAL YEAR ENDED JUNE 2003-2004: R-04-8-802: (Book 19, Pg. 251)

Consideration of a Resolution of the Commission of Knox County, Tennessee approving the amounts of designated at fiscal year ended June 2003-2004 was before the Board of Commissioners.

Commissioner Griess moved to approve R-04-8-802 - Consideration of a Resolution of the Commission of Knox County, Tennessee approving the amounts of designated at fiscal year ended June 2003-2004. Commissioner Cawood seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon,

Guthe, Schmid, Arms, Leuthold, Griess, Cawood, Horner, Moore, McMillan, Mills, Clark and Pinkston voted aye. The motion carried 18-0-0-1. Commissioner Stephens was absent from the vote.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE
COMMISSION OF KNOX COUNTY, TENNESSEE ADOPTING THE
PROVISIONS OF PUBLIC CHAPTER 695 AND PUBLIC CHAPTER
769 OF THE ACTS OF 2004 ALLOWING THE SHERIFF TO
REQUIRE CO-PAYS FOR CERTAIN INMATE SERVICES PROCURED
WITHIN KNOX COUNTY CORRECTIONS: R-04-8-901: (Book 19, Pgs.
251 & 252)

Consideration of a Resolution of the Commission of Knox County, Tennessee adopting the provisions of Public Chapter 695 and Public Chapter 769 of the Acts of 2004 allowing the Sheriff to require co-pays for certain inmate services procured within Knox County Corrections was before the Board of Commissioners.

Mr. John Owings, Knox County Senior Deputy Law Director, was present and spoke on the matter.

Commissioner Moore moved to approve R-04-8-901 - Consideration of a Resolution of the Commission of Knox County, Tennessee adopting the provisions of Public Chapter 695 and Public Chapter 769 of the Acts of 2004 allowing the Sheriff to require co-pays for certain inmate services procured within Knox County Corrections. Commissioner Arms seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Arms, Leuthold, Griess, Cawood, Horner, Moore, McMillan, Mills, Clark and

Pinkston voted aye. The motion carried 18-0-0-1. Commissioner Stephens was absent from the vote.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE ASKING CONGRESS TO ASSIST SPOUSES OF THE BERYLLIUM CANCER VICTIMS: R-04-8-911: (Book 19, Pgs. 252 & 253)

Consideration of a Resolution of the Commission of Knox County, Tennessee asking congress to assist spouses of the beryllium cancer victims was before the Board of Commissioners.

Ms. Bobby Smith, concerned citizen, was present and spoke on the matter.

Commissioner Cawood moved to approve R-04-8-911 - Consideration of a Resolution of the Commission of Knox County, Tennessee asking congress to assist spouses of the beryllium cancer victims. Commissioner Tindell seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Arms, Leuthold, Griess, Cawood, Horner, Moore, McMillan, Mills, Clark and Pinkston voted aye. The motion carried 18-0-0-1. Commissioner Stephens was absent from the vote.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE SUPPORTING THE COALITION OF OAK RIDGE RETIRED EMPLOYEES IN THEIR EFFORTS TO OBTAIN EQUITABLE AND COMPETITIVE RETIREMENT BENEFITS FOR FORMER DOE OAK RIDGE PRIME CONTRACTOR EMPLOYEES: R-04-8-912: (Book 19, Pgs. 253 & 254)

Consideration of a Resolution of the Commission of Knox County, Tennessee supporting the Coalition of Oak Ridge Retired Employees in their efforts to obtain equitable and competitive retirement benefits for former DOE Oak Ridge Prime Contractor Employees was before the Board of Commissioners.

Commissioner Arms moved to approve R-04-8-912 - Consideration of a Resolution of the Commission of Knox County, Tennessee supporting the Coalition of Oak Ridge Retired Employees in their efforts to obtain equitable and competitive retirement benefits for former DOE Oak Ridge Prime Contractor Employees with the following amendment: Whereas, the pension fund is funded and controlled by the Federal Government and administered by the current DOE contractor for the benefit of all retirees; and Whereas, the actions requested by this resolution require no new federal funding. Commissioner Tindell seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Arms, Leuthold, Griess, Cawood, Horner, Moore, McMillan, Mills, Clark and Pinkston voted aye. The motion carried 18-0-0-1. Commissioner Stephens was absent from the vote.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE
COMMISSION OF KNOX COUNTY, SUPPORTING THE PASSAGE
OF FEDERAL LEGISLATION ALLOWING SALES TAX TO BE
DEDUCTIBLE FROM THE FEDERAL INCOME TAX AND TO
ALLOW FOR A BUYOUT OF TOBACCO FARMERS:R-04-8-913:
(NOTE: A NEW RESOLUTION TO READ AS FOLLOWS): (Book 19,
Pg. 254)

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CONSIDERATION OF A RESOLUTION OF THE
COMMISSION OF KNOX COUNTY, TENNESSEE SUPPORTING THE
PASSAGE OF FEDERAL LEGISLATION ALLOWING SALES TAX TO
BE DEDUCTIBLE FROM FEDERAL INCOME TAX: R-04-8-913:
(Book 19, Pgs. 254 & 255)

Consideration of a Resolution of the Commission of Knox County, Tennessee supporting the passage of Federal Legislation allowing sales tax to be deductible from Federal Income Tax was before the Board of Commissioners.

Commissioner Cawood moved to approve R-04-8-913 - Consideration of a Resolution of the Commission of Knox County, Tennessee supporting the passage of Federal Legislation allowing sales tax to be deductible from Federal Income Tax with the following amendment: Delete Buyout of Tobacco Farmers. Commissioner Moore seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Arms, Leuthold, Griess, Cawood, Horner, Moore, McMillan, Mills, Clark and Pinkston voted aye. The motion carried 18-0-0-1. Commissioner Stephens was absent from the vote.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE
COMMISSION OF KNOX COUNTY, TENNESSEE APPROVING A
\$50.00 PAY INCREASE FOR ELECTION WORKERS, EFFECTIVE
NOVEMBER 2004: R-04-8-914: (Book 19, Pg. 255)

Consideration of a Resolution of the Commission of Knox County, Tennessee approving a \$50.00 pay increase for Election Workers, effective November 2004 was before the Board of Commissioners.

Commissioner Cawood moved to approve R-04-8-914 -

Consideration of a Resolution of the Commission of Knox County, Tennessee approving a \$50.00 pay increase for Election Workers, effective November 2004. Commissioner Moore seconded the motion.

Commissioner Leuthold moved as a substitute motion to defer to the September Board of Commissioners meeting R-04-8-914 -

Consideration of a Resolution of the Commission of Knox County, Tennessee approving a \$50.00 pay increase for Election Workers, effective November 2004. Commissioner Horner seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Arms, Leuthold, Griess, Horner, McMillan, Mills, Clark and Pinkston voted aye. Commissioners Cawood and Moore voted no. The motion carried 16-2-0-1. Commissioner Stephens was absent from the vote.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE REQUESTING THAT PUBLIC BUILDING AUTHORITY ALLOW 2 HOURS OF FREE PARKING IN THE DWIGHT KESSEL GARAGE: R-04-6-915: (Book 19, Pg. 256)

Consideration of a Resolution of the Commission of Knox County, Tennessee requesting that Public Building Authority allow 2 hours of free parking in the Dwight Kessel Garage was before the Board of Commissioners.

Mr. Mike Cohen, Director of Governmental Affairs, was present and spoke on the matter.

Commissioner Moore moved to approve R-04-6-915 -

Consideration of a Resolution of the Commission of Knox County, Tennessee requesting that Public Building Authority allow 2 hours of free parking in the Dwight Kessel Garage with the following amendment: Change to a six (6) month pilot program and change from allowing 2 hours to 1 hour. Commissioner Schmid seconded the motion.

Commissioner Jordan moved as a substitute motion to defer to the November Board of Commissioners meeting R-04-6-915 - Consideration of a Resolution of the Commission of Knox County, Tennessee requesting that Public Building Authority allow 2 hours of free parking in the Dwight Kessel Garage. Commissioner Horner seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Moody, Guthe, Griess, Horner, McMillan, Mills, Clark and Pinkston voted aye. Commissioners Collins, Tindell, Harmon, Schmid, Arms, Leuthold, Cawood and Moore voted no. The substitute motion carried 10-8-0-1. Commissioner Stephens was absent from the vote.

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IN RE: **PUBLIC FORUM: (Book19, Pg. 257)**

Mr. George Hamilton, concerned citizen, was present and spoke on the School System.

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IN RE: **ADJOURNMENT: (Book 19, Pg. 257)**

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

DAVID COLLINS, CHAIRMAN

KNOX COUNTY BOARD OF COMMISSIONERS

The Knox County Board of Commissioners met in Special Session on Wednesday, September 8, 2004 at 4:30 p.m. in the Main Assembly Room of the City-County Building, Main Avenue. Those members present were Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Arms, Leuthold, Griess, Cawood, Horner, Moore, McMillan, Mills, Clark and Pinkston. Commissioner Stephens was absent from the meeting. Also present were Mr. Mike Moyers, Knox County Law Director, Mr. Mike Padgett, Knox County Clerk, Mr. John Werner, Knox County Finance Director, Mr. Richard Walls, Knox County Internal Auditor, Mr. Mike Ragsdale, Knox County Mayor, and members of the news media.

Commissioner Collins, Chairman, presided.

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

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IN RE: ROLL CALL: (Book 19, Pg. 258)

Mr. Mike Padgett, Knox County Clerk, called the roll.

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IN RE: PLEDGE OF ALLEGIANCE TO THE FLAG: (Book 19, Pg. 258)

Commissioner Moore led the Pledge of Allegiance to the Flag.

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IN RE: AMENDMENTS TO THE AGENDA: Book 19, Pgs. 258 & 259)

1. Without objection, Commissioner Collins amended the agenda to hear the following items after completion of Item #2: Item #7 – Consideration of amendments to the Knox County Budget for fiscal year 2004-2005; and Item #6 – Consideration of an interim appointment to the Knox County School Board, District 3.

Mr. Mike Moyers, Knox County Law Director, was present and spoke on the matter.

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At this time, Commissioner Collins stepped down from the Chair, and Mr. Mike Padgett, Knox County Clerk, presided.

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IN RE: CONSIDERATION OF THE RE-ORGANIZATION OF THE
KNOX COUNTY COMMISSION: (Book 19, Pgs. 259, 260, 261 & 262)

Consideration of the re-organization of the Knox County Commission was before the Board of Commissioners.

Upon roll call for nominations for a Chairman of the Knox County Commission, Commissioner Pinkston passed. Commissioner Clark passed. Commissioner Mills passed. Commissioner McMillan passed. Commissioner Moore passed. Commissioner Horner passed. Commissioner Cawood nominated Commissioner Scott Moore. Commissioner Griess passed. Commissioner Leuthold passed. Commissioner Hammond passed. Commissioner Schmid passed. Commissioner Guthe passed. Commissioner Harmon passed. Commissioner Moody passed. Commissioner Tindell passed. Commissioner Collins passed. Commissioner Strickland nominated Commissioner David Collins. Commissioner Jordan passed. Commissioner Stephens was absent from the meeting.

Upon roll call vote for Chairman of the Knox County

Commission, Commissioners Pinkston, Mills, McMillan, Moore, Cawood, Leuthold, Harmon, Tindell and Jordan voted for Commissioner Moore.

Commissioners Clark, Horner, Griess, Hammond, Schmid, Guthe, Moody, Collins and Strickland voted for Commissioner Collins. Commissioner Stephens was absent from the meeting. Commissioner Moore received 9 votes. Commissioner Collins received 9 votes. (10 votes required)

Upon roll call vote for Chairman of the Knox County

Commission, Commissioners Jordan, Tindell, Harmon, Leuthold, Cawood, Moore, McMillan, Mills and Pinkston voted for Commissioner Moore.

Commissioners Strickland, Collins, Moody, Guthe, Schmid, Hammond, Griess, Horner and Clark voted for Commissioner Collins. Commissioner Stephens was absent from the meeting. Commissioner Moore received 9 votes. Commissioner Collins received 9 votes. (10 votes required)

A five minute recess was taken at this time.

Upon roll call vote for Chairman of the Knox County

Commission, Commissioners Jordan, Tindell, Harmon, Leuthold, Cawood, Moore, McMillan, Mills and Pinkston voted for Commissioner Moore.

Commissioners Strickland, Collins, Moody, Guthe, Schmid, Hammond, Griess, Horner and Clark voted for Commissioner Collins. Commissioner Stephens was absent from the meeting. Commissioner Moore received 9 votes. Commissioner Collins received 9 votes. (10 votes required)

Mr. Mike Moyers, Knox County Law Director, was present and spoke on the matter.

A five minute recess was taken at this time.

Upon roll call vote for Chairman of the Knox County Commission, Commissioners Pinkston, Mills, McMillan, Moore, Cawood, Leuthold, Harmon, Tindell and Jordan voted for Commissioner Moore. Commissioners Clark, Horner, Griess, Hammond, Schmid, Guthe, Moody, Collins and Strickland voted for Commissioner Collins. Commissioner Stephens was absent from the meeting. Commissioner Moore received 9 votes. Commissioner Collins received 9 votes. (10 votes required)

Mr. Mike Moyers, Knox County Law Director, was present and spoke on the matter.

Upon roll call vote for Chairman of the Knox County Commission, Commissioners Jordan, Tindell, Harmon, Leuthold, Cawood, Moore, McMillan, Mills and Pinkston voted for Commissioner Moore. Commissioners Strickland, Collins, Moody, Guthe, Schmid, Hammond, Griess, Horner and Clark voted for Commissioner Collins. Commissioner Stephens was absent from the meeting. Commissioner Moore received 9 votes. Commissioner Collins received 9 votes. (10 votes required)

Commissioner Guthe moved to adjourn the meeting. Commissioner Horner seconded the motion and upon roll call vote Commissioners Guthe, Horner and McMillan voted aye. Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Schmid, Hammond, Leuthold, Griess, Cawood, Moore, Mills, Clark and Pinkston voted no. Commissioner Stephens was absent from the meeting. The motion failed 3-15-0-1.

Mr. Mike Moyers, Knox County Law Director, and Mr. Mike Ragsdale, Knox County Mayor, were present and spoke on the matter.

A five minute recess was taken at this time.

Upon roll call vote for Chairman of the Knox County

Commission, Commissioners Pinkston, Mills, McMillan, Moore, Cawood, Leuthold, Harmon, Tindell and Jordan voted for Commissioner Moore.

Commissioners Clark, Horner, Griess, Hammond, Schmid, Guthe, Moody, Collins and Strickland voted for Commissioner Collins. Commissioner Stephens was absent from the meeting. Commissioner Moore received 9 votes. Commissioner Collins received 9 votes. (10 votes required)

Upon roll call vote for Chairman of the Knox County

Commission, Commissioners Jordan, Tindell, Harmon, Leuthold, Cawood, Moore, McMillan, Mills and Pinkston voted for Commissioner Moore.

Commissioners Strickland, Collins, Moody, Guthe, Schmid, Hammond, Griess, Horner and Clark voted for Commissioner Collins. Commissioner Stephens was absent from the meeting. Commissioner Moore received 9 votes. Commissioner Collins received 9 votes. (10 votes required)

Commissioner Mills moved to reconsider nominations for Chairman of the Knox County Commission. Commissioner Clark seconded the motion and upon roll call vote Commissioners Pinkston, Clark, Mills, McMillan, Moore, Horner, Cawood, Griess, Leuthold, Hammond, Schmid, Guthe, Harmon, Moody, Tindell, Collins, Strickland and Jordan voted aye. Commissioner Stephens was absent from the meeting. The motion carried 18-0-0-1.

Upon roll call for nominations for Chairman of the Knox

County Commission, Commissioner Pinkston passed. Commissioner Clark passed. Commissioner Mills nominated Commissioner Billy Tindell.

Commissioner McMillan passed. Commissioner Moore passed.

Commissioner Horner passed. Commissioner Cawood nominated

Commissioner Scott Moore. Commissioner Griess nominated
Commissioner David Collins. Commissioner Leuthold passed.
Commissioner Hammond passed. Commissioner Schmid passed.
Commissioner Guthe passed. Commissioner Harmon passed.
Commissioner Moody passed. Commissioner Tindell passed.
Commissioner Collins passed. Commissioner Strickland passed.
Commissioner Jordan passed. Commissioner Stephens was absent from the
meeting. Commissioner Moore declined. Commissioner Collins declined.

Commissioner Mills moved that Commissioner Tindell be
elected Chairman of the Knox County Commission by acclamation on an
interim basis. Commissioner Cawood seconded the motion and upon roll
call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody,
Harmon, Guthe, Schmid, Hammond, Leuthold, Griess, Cawood, Horner,
Moore, McMillan, Mills, Clark and Pinkston voted aye. Commissioner
Stephens was absent from the meeting. The motion carried 18-0-0-1.
Commissioner Billy Tindell was elected Chairman of the Knox County
Commission on an interim basis.

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At this time, Mr. Mike Padgett, Knox County Clerk, stepped
down from the Chair and Commissioner Tindell, Chairman, presided. (Book
19, Pg. 263)

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Upon roll call for nominations for Vice-Chairman of the Knox
County Commission, Commissioner Jordan passed. Commissioner
Strickland passed. Commissioner Collins nominated Commissioner Thomas
Strickland. Commissioner Tindell passed. Commissioner Moody passed.

Commissioner Harmon passed. Commissioner Guthe passed.
Commissioner Schmid passed. Commissioner Hammond passed.
Commissioner Leuthold passed. Commissioner Griess passed.
Commissioner Cawood passed. Commissioner Horner passed.
Commissioner Moore passed. Commissioner McMillan passed.
Commissioner Mills passed. Commissioner Clark passed. Commissioner
Pinkston nominated Commissioner Diane Jordan. Commissioner Jordan
declined. Commissioner Stephens was absent from the meeting. (Book 19,
Pgs. 263 & 264)

Commissioner Mills moved that Commissioner Strickland be
elected Vice-Chairman of the Knox County Commission by acclamation on
an interim basis. Commissioner Schmid seconded the motion and upon roll
call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody,
Harmon, Guthe, Schmid, Hammond, Leuthold, Griess, Cawood, Horner,
Moore, McMillan, Mills, Clark and Pinkston voted aye. Commissioner
Stephens was absent from the meeting. The motion carried 18-0-0-1.
Commissioner Thomas Strickland was elected Vice-Chairman of the Knox
County Commission on an interim basis. (Book 19, Pgs. 264)

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**IN RE: CONSIDERATION OF AMENDMENTS TO THE KNOX
COUNTY BUDGET FOR FISCAL YEAR 2004-2005: (Book 19, Pgs. 264
& 265)**

Consideration of amendments to the Knox County budget for
fiscal year 2004-2005 was before the Board of Commissioners.

Mr. Mike Ragsdale, Knox County Mayor, Mr. Sam Anderson,
Knox County School Board Chairman, Mr. Mike Lowe, Knox County

Trustee, Mr. John Werner, Knox County Finance Director, and Mr. Mike Padgett, Knox County Clerk, were present and spoke on the matter.

The following concerned citizens, were present and spoke on the matter: Mr. John Yu, Mr. Bill Baxter, Ms. Margaret Gaiter, Ms. Barbara Kelly, Ms. Lucy Hall, Mr. Jonathan Cox, Mr. Gerald Clark, Ms. Fiona McAnally, Ms. Ludell Coffey, Ms. Jane Shlay, Mr. Jim Vulna, Mr. Frank Graffeo, Ms. Kathryn Brunson, Mr. Greg Lambert, Mr. Bill Snyder, Mr. Joe Bryson, Mr. Gary Sellers, Mr. Michael Alford and Mr. Avon Rollins.

Commissioner Leuthold moved to enact an eighteen cent property tax increase that would take effect if and when the voters reject the wheel tax. Commissioner Griess seconded the motion.

Commissioner Schmid moved as a substitute motion to enact an eighteen cent property tax increase that would take effect immediately that would be rescinded contingent upon the wheel tax referendum failing.

There was no second to the motion. The substitute motion failed due to lack of a second.

Upon roll call vote of the original motion to enact an eighteen cent property tax increase that would take effect if and when the voters reject the wheel tax, Commissioners Jordan, Strickland, Collins, Tindell, Harmon, Guthe, Schmid, Hammond, Leuthold, Griess and Horner voted aye.

Commissioners Cawood, Moore, McMillan, Mills, Clark and Pinkston voted no. Commissioner Moody was absent from the vote. Stephens was absent from the meeting. The motion carried 11-6-0-2.

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IN RE: CONSIDERATION OF AN INTERIM APPOINTMENT TO
THE KNOX COUNTY SCHOOL BOARD, DISTRICT 3: (Book 19, Pgs.
265 & 266)

Consideration of an interim appointment to the Knox County School Board, District 3 was before the Board of Commissioners.

Commissioner Horner moved that there not be an interim appointment to the Knox County School Board, District 3 and to request the Election Commission to hold a special election on the November 2, 2004 Ballot for the appointment. Commissioner Guthe seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Guthe, Griess, Horner and Mills voted aye. Commissioners Collins, Tindell, Harmon, Schmid, Hammond, Leuthold, Cawood, Moore, McMillan, Clark and Pinkston voted no. Commissioner Moody was absent from the vote. Commissioner Stephens was absent from the meeting. The motion failed 6-11-0-2.

Upon roll call for nominations for an interim appointment to the Knox County School Board, District 3, Commissioners Jordan passed. Commissioner Strickland passed. Commissioner Collins passed. Commissioner Tindell passed. Commissioner Harmon nominated Mr. D.M. Miller. Commissioner Guthe passed. Commissioner Schmid passed. Commissioner Hammond passed. Commissioner Leuthold passed. Commissioner Griess passed. Commissioner Cawood nominated Mr. Joe Pennell. Commissioner Horner passed. Commissioner Moore passed. Commissioner McMillan passed. Commissioner Mills passed. Commissioner Clark passed. Commissioner Pinkston passed. Commissioner Moody was absent from the vote. Commissioner Stephens was absent from the meeting.

Upon roll call vote for an interim appointment to the Knox County School Board, District 3, Commissioners Pinkston, McMillan, Horner and Cawood voted for Mr. Pennell. Commissioners Clark, Mills, Moore, Hammond, Schmid, Harmon, Tindell, Collins and Strickland voted for Mr. Miller. Commissioners Griess, Leuthold, Guthe and Jordan abstained from voting. Commissioner Moody was absent from the vote. Commissioner Stephens was absent from the meeting. Mr. Pennell received 4 votes. Mr. Miller received 9 votes. (10 votes required)

Upon roll call vote for an interim appointment to the Knox County School Board, District 3, Commissioners Strickland, Collins, Tindell, Harmon, Schmid, Hammond, Moore, Mills and Clark voted for Mr. Miller. Commissioner Cawood voted for Mr. Pennell. Commissioners Jordan, Guthe, Leuthold, Griess, Horner, McMillan and Pinkston abstained from voting. Commissioner Moody was absent from the vote. Commissioner Stephens was absent from the meeting. Mr. Miller received 9 votes. Mr. Pennell received 1 vote. (10 votes required)

Commissioner Harmon moved to request the Election Commission to hold a special election on the November 2, 2004 Ballot for an appointment to the Knox County School Board, District 3. Commissioner Horner seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Harmon, Guthe, Schmid, Hammond, Leuthold, Griess, Cawood, Horner, Moore, McMillan, Mills, Clark and Pinkston voted aye. Commissioner Moody was absent from the vote. Commissioner Stephens was absent from the meeting. The motion carried 17-0-0-2. (Book 19, Pg. 267)

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IN RE: CONSIDERATION OF A RESOLUTION OF THE
COMMISSION OF KNOX COUNTY, TENNESSEE, APPROVING THE
2004-2005 GENERAL PURPOSE SCHOOLS FUND BUDGET –
R-04-9-201-SS: (Book 19, Pgs. 267 & 268)

Consideration of a resolution of the Commission of Knox County, Tennessee, approving the 2004-2005 General Purpose Schools Fund Budget was before the Board of Commissioners.

Commissioner Guthe moved to approve Resolution R-04-9-201-SS - Resolution of the Commission of Knox County, Tennessee, approving the 2004-2005 General Purpose Schools Fund Budget. Commissioner Schmid seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Harmon, Guthe, Schmid, Hammond, Leuthold, Griess, Cawood, Horner, Moore, McMillan, Mills, Clark and Pinkston voted aye. Commissioner Moody was absent from the vote. Commissioner Stephens was absent from the meeting. The motion carried 17-0-0-2.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE
COMMISSION OF KNOX COUNTY, TENNESSEE, APPROPRIATING
\$2,038,628.00 AND APPROVING A CONTRACT WITH EVANS
CONTRACTING COMPANY FOR WEST HIGH SCHOOL
LIBRARY/MEDIA CENTER ADDITION AND CAFETERIA
RENOVATIONS – R-04-9-202-SS: (Book 19, Pgs. 268 & 269)

Consideration of a resolution of the Commission of Knox County, Tennessee, appropriating \$2,038,628.00 and approving a contract

with Evans Contracting Company for West High School Library/Media Center Addition and cafeteria renovations was before the Board of Commissioners.

Ms. Sallee Reynolds, Principal at West High School, was present and spoke on the matter.

Commissioner Schmid moved to approve Resolution R-04-9-202-SS - Resolution of the Commission of Knox County, Tennessee, appropriating \$2,038,628.00 and approving a contract with Evans Contracting Company for West High School Library/Media Center Addition and cafeteria renovations. Commissioner Guthe seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Harmon, Guthe, Schmid, Hammond, Leuthold, Griess, Cawood, Horner, Moore, McMillan, Mills, Clark and Pinkston voted aye. Commissioner Moody was absent from the vote. Commissioner Stephens was absent from the meeting. The motion carried 17-0-0-2.

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**IN RE: CONSIDERATION OF A RESOLUTION OF THE
COMMISSION OF KNOX COUNTY, TENNESSEE, APPROVING A
LIFE INSURANCE CONTRACT FOR 2005-2007 FOR KNOX COUNTY
AND KNOX COUNTY SCHOOLS – R-04-9-901-SS: (Book 19, Pg. 269)**

Consideration of a resolution of the Commission of Knox County, Tennessee, approving a Life Insurance contract for 2005-2007 for Knox County and Knox County Schools was before the Board of Commissioners.

Commissioner Griess moved to approve Resolution

R-04-9-901-SS - Resolution of the Commission of Knox County, Tennessee, approving a Life Insurance contract for 2005-2007 for Knox County and Knox County Schools. Commissioner Guthe seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Harmon, Guthe, Schmid, Hammond, Leuthold, Griess, Cawood, Horner, Moore, McMillan, Mills, Clark and Pinkston voted aye. Commissioner Moody was absent from the vote. Commissioner Stephens was absent from the meeting. The motion carried 17-0-0-2.

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IN RE: **ADJOURNMENT: (Book 19, Pg. 270)**

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

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KNOX COUNTY BOARD OF COMMISSIONERS

BILLY TINDELL, CHAIRMAN

KNOX COUNTY BOARD OF COMMISSIONERS

The Knox County Board of Commissioners met in Regular Session on Monday, September 27, 2004 at 2:00 p.m. in the Main Assembly Room of the City-County Building, Main Avenue. Those members present were Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Hammond, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills, Clark and Pinkston. Also present were Mr. Mike Moyers, Knox County Law Director, Mr. John Werner, Knox County Finance Director, Mr. Richard Walls, Knox County Internal Auditor, Mr. Mike Ragsdale, Knox County Mayor, Mr. Dave Hill, Executive Director for Metropolitan Planning Commission, Mr. Ewing “Buzz” Johnson, Director of Development Services for Metropolitan Planning Commission, and members of the news media.

Commissioner Tindell, Interim Chairman, presided.

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

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IN RE: *ROLL CALL: (Book 19, Pg. 271)*

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

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IN RE: *AMENDMENTS TO THE AGENDA: (Book 19, Pgs. 271)*

1. Without objection, Commissioner Tindell amended the agenda to add the following item to the Regular Agenda: Discussion of transferring property between the City of Knoxville and Knox County to facilitate the construction of a downtown theatre.

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IN RE: DEVOTIONAL: (Book 19, Pg. 272)

Mr. Adrian Twinney, Captain with the Salvation Army, gave the devotional.

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IN RE: PLEDGE OF ALLEGIANCE TO THE FLAG: (Book 19, Pg. 272)

Commissioner Horner led the Pledge of Allegiance to the Flag.

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At this time, Commissioner Tindell resigned as Interim Chairman of the Knox County Commission and Commissioner Strickland also resigned as Interim Vice-Chairman of the Knox County Commission.

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Mr. Mike Moyers, Knox County Law Director, presided.

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IN RE: CONSIDERATION OF THE RE-ORGANIZATION OF THE KNOX COUNTY COMMISSION AND COMMITTEES: (Book 19, Pgs. 272-274)

Consideration of the re-organization of the Knox County Commission and Committees was before the Board of Commissioners.

Upon roll call for nominations for a Chairman of the Knox County Commission, Commissioner Jordan passed. Commissioner Strickland passed. Commissioner Collins nominated Commissioner Billy Tindell. Commissioner Tindell declined. Commissioner Tindell passed. Commissioner Moody passed. Commissioner Harmon passed. Commissioner Guthe passed. Commissioner Schmid passed. Commissioner

Hammond passed. Commissioner Leuthold passed. Commissioner Griess passed. Commissioner Cawood nominated Commissioner Scott Moore. Commissioner Stephens passed. Commissioner Horner passed. Commissioner Moore passed. Commissioner McMillan passed. Commissioner Mills passed. Commissioner Clark passed. Commissioner Pinkston.

Commissioner Mills moved that Commissioner Scott Moore be elected Chairman of the Knox County Commission by acclamation. The motion was seconded and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Hammond, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills, Clark and Pinkston voted aye. The motion carried 19-0-0-0. Commissioner Scott Moore was elected Chairman of the Knox County Commission.

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At this time, Mr. Mike Moyers, Knox County Law Director, stepped down from the Chair and Commissioner Moore, Chairman, presided.

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Upon roll call for nominations for Vice-Chairman of the Knox County Commission, Commissioner Jordan passed. Commissioner Strickland passed. Commissioner Collins nominated Commissioner Thomas Strickland. Commissioner Tindell passed. Commissioner Moody passed. Commissioner Harmon passed. Commissioner Guthe passed. Commissioner Schmid passed. Commissioner Hammond passed. Commissioner Leuthold nominated Commissioner Larry Stephens. Commissioner Griess passed. Commissioner Cawood passed.

Commissioner Stephens passed. Commissioner Horner passed.

Commissioner Moore passed. Commissioner McMillan passed.

Commissioner Mills passed. Commissioner Clark passed. Commissioner Pinkston passed.

Upon roll call vote for Vice-Chairman of the Knox County Commission, Commissioners Horner, Stephens, Griess, Hammond, Schmid, Guthe, Moody, Collins, Strickland and Jordan voted for Commissioner Strickland. Commissioners Pinkston, Clark, Mills, McMillan, Moore, Cawood, Leuthold, Harmon and Tindell voted for Commissioner Stephens. Commissioner Strickland received 10 votes. Commissioner Stephens received 9 votes. Commissioner Thomas Strickland was elected Vice-Chairman of the Knox County Commission.

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IN RE: AMENDMENTS TO THE AGENDA – (CONTINUED):
(Book 19, Pg. 274)

2. Without objection, Commissioner Moore amended the agenda to remove the following item from the Consent Calendar and that it be heard at this time: Resolution R-04-9-101 - Consideration of a resolution of the Commission of Knox County, Tennessee, honoring Sterling P. Owen IV on the occasion of his appointment as Police Chief for the City of Knoxville.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE
COMMISSION OF KNOX COUNTY, TENNESSEE, HONORING
STERLING P. OWEN IV ON THE OCCASION OF HIS

APPOINTMENT AS POLICE CHIEF FOR THE CITY OF KNOXVILLE

R-04-9-101: (Book 19, Pgs. 274 & 275)

Consideration of a resolution of the Commission of Knox County, Tennessee, honoring Sterling P. Owen IV on the occasion of his appointment as Police Chief for the City of Knoxville was before the Board of Commissioners.

Commissioners Griess and Horner moved to approve Resolution R-04-9-101 - Resolution of the Commission of Knox County, Tennessee, honoring Sterling P. Owen IV on the occasion of his appointment as Police Chief for the City of Knoxville. All Commissioners seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Hammond, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills, Clark and Pinkston voted aye. The motion carried 19-0-0-0.

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

Mr. Owen was present to accept the resolution and expressed appreciation to the commission for the resolution.

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IN RE: AMENDMENTS TO THE AGENDA – (CONTINUED):
(Book 19, Pgs. 275 & 276)

3. Commissioner Moore amended the agenda to add the following item, remove it from the Consent Calendar and that it be heard at this time: Resolution R-04-9-102 - Consideration of a resolution of the Commission of Knox County, Tennessee, honoring Michael Thompson for heroic behavior resulting in saving his sister's life.

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**IN RE: CONSIDERATION OF A RESOLUTION OF THE
COMMISSION OF KNOX COUNTY, TENNESSEE, HONORING
MICHAEL THOMPSON FOR HEROIC BEHAVIOR RESULTING IN
SAVING HIS SISTER'S LIFE – R-04-9-102: (Book 19, Pgs. 275 & 276)**

Consideration of a resolution of the Commission of Knox County, Tennessee, honoring Michael Thompson for heroic behavior resulting in saving his sister's life was before the Board of Commissioners.

Commissioner Jordan moved to approve Resolution R-04-9-102 - Resolution of the Commission of Knox County, Tennessee, honoring Michael Thompson for heroic behavior resulting in saving his sister's life. Commissioner Strickland seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Hammond, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills, Clark and Pinkston voted aye. The motion carried 19-0-0-0.

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

Mr. Thompson and his sister Shay, were present to accept the resolution and expressed appreciation to the commission for the resolution.

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**IN RE: CONSIDERATION OF THE RE-ORGANIZATION OF THE
KNOX COUNTY COMMISSION AND COMMITTEES –
(CONTINUED): (Book 19, Pgs. 276 & 277)**

At this time, Commissioner Moore appointed Commissioners Jordan, Tindell, Leuthold, Cawood and McMillan to the Committee on Committees with Commissioner Tindell as Chairman.

A five minute recess was taken at this time.

Upon reconvention, Commissioner Tindell announced that the Committee on Committees recommended the following Commissioners serve on the following Committees:

Finance Committee: Commissioners Jordan, Tindell, Harmon, Schmid, Hammond, Griess, Cawood, Horner, McMillan and Pinkston.

Intergovernmental Committee: Commissioners Strickland, Collins, Moody, Guthe, Leuthold, Stephens, Moore, Mills and Clark.

Beer Board: Commissioners Strickland, Moody, Harmon, Schmid, Hammond, Leuthold and Griess.

Tennessee County Services Association: Commissioners Jordan, Tindell, Moody and Horner.

Board of Zoning and Appeals: Commissioners Jordan, Collins, Harmon, Guthe, Hammond, Cawood, Moore, McMillan and Pinkston.

Commissioner Mills moved to accept the recommendations of the Committee on Committees. Commissioner Cawood seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Hammond, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills, Clark and Pinkston voted aye. The motion carried 19-0-0-0.

At this time, each Committee elected its Chairman and Vice-Chairman and reported as follows:

Finance Committee: Commissioner Tindell - Chairman,
Commissioner Jordan - Vice-Chairwoman.

Intergovernmental Committee - Commissioner Mills -
Chairman, Commissioner Clark - Vice-Chairman.

Beer Board - Commissioner Griess - Chairman, Commissioner
Schmid – Vice-Chairman.

Board of Zoning and Appeals - Commissioner Cawood -
Chairman, Commissioner Pinkston - Vice-Chairman.

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IN RE: AMENDMENTS TO THE AGENDA – (CONTINUED):
(Book 19, Pg. 278)

4. At this time, Dr. Dan Murphy, Knox County School Board
Chairman, addressed the Commission regarding school projects.

Mr. Mike Moyers, Knox County Law Director, was present and
spoke on the matter.

5. At this time, Commissioner Hammond acknowledged the
presence of Ms. Megan Brown, President of the Lovell Heights Community
Club who donated property to be used by the Frank Strang Senior Center
and for other County needs. (Resolution R-04-9-503) Ms. Brown indicated
the Club was glad to donate the property.

6. Commissioner Moore amended the agenda to hear the
following item at this time: Discussion of transferring property between the
City of Knoxville and Knox County to facilitate the construction of a
downtown theatre.

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IN RE: DISCUSSION OF TRANSFERRING PROPERTY
BETWEEN THE CITY OF KNOXVILLE AND KNOX COUNTY TO
FACILITATE THE CONSTRUCTION OF A DOWNTOWN THEATRE:
(Book 19, Pgs. 278 & 279)

Discussion of transferring property between the City of Knoxville and Knox County to facilitate the construction of a downtown theatre was before the Board of Commissioners.

Mr. Bill Haslam, Knoxville City Mayor, and Mr. Mike Ragsdale, Knox County Mayor, were present and spoke on the matter.

Commissioner Griess moved to approve the concept of transferring property between the City of Knoxville and Knox County to facilitate the construction of a downtown theatre. Commissioner Jordan seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Hammond, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills, Clark and Pinkston voted aye. The motion carried 19-0-0-0.

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IN RE: AMENDMENTS TO THE AGENDA – (CONTINUED):
(Book 19, Pgs. 279-281)

7. Without objection, Commissioner Moore amended the agenda to add the following items: Resolution R-04-9-301 – Consideration of a resolution of the Commission of Knox County, Tennessee, approving a grant agreement between the U.S. Department of Justice and the Knox County Sheriff's Department for the Cops in Schools Program for 2004; Resolution R-04-9-408 – Consideration of a resolution of the Commission of

Knox County, Tennessee, approving a contract with the Tennessee Department of Transportation for truck stop electrification; Resolution R-04-9-701 - Consideration of a resolution of the Commission of Knox County, Tennessee, appropriating funds for improvements to the Concord Park Sports Fields; Resolution R-04-9-905 - Consideration of a resolution of the Commission of Knox County, Tennessee, directing the Knox County Election Commission to hold a referendum election on the question of imposing an amendment to the Knox County Wheel Tax; Resolution R-04-9-906 - Consideration of a resolution of the Commission of Knox County, Tennessee, appropriating \$300,000.00 to complete construction of the North West Sports Complex; R-04-9-907 - Consideration of a resolution of the Commission of Knox County, Tennessee, appropriating funds to design, construct and equip the new Burlington Branch Library; Resolution R-04-9-908 - Consideration of a resolution of the Commission of Knox County, Tennessee, appropriating funds for design and construction at the Powell Community Park; Resolution R-04-9-909 - Consideration of a resolution of the Commission of Knox County, Tennessee, appropriating funds for design and construction at the Halls Community Park; Resolution R-04-9-910 - Consideration of a resolution of the Commission of Knox County, Tennessee, appropriating funds for renovations and improvements to the Beck Cultural Center; Resolution R-04-9-911 - Consideration of a resolution of the Commission of Knox County, Tennessee, appropriating funds for design and construction of the new Corryton Senior Center; Resolution R-04-9-912 - Consideration of a resolution of the Commission of Knox County, Tennessee, appropriating funds for design and construction of the new South Knox Senior Center; Resolution R-04-9-913 - Consideration

of a resolution of the Commission of Knox County, Tennessee, appropriating funds for design and construction of the Halls Senior Center; Resolution R-04-9-914 - Consideration of a resolution of the Commission of Knox County, Tennessee, appropriating \$250,000.00 for the East Tennessee Veteran's Memorial; Resolution R-04-9-915 - Consideration of a resolution of the Commission of Knox County, Tennessee, appropriating \$100,000.00 for the Knoxville Botanical Gardens and Arboretum; Resolution R-04-9-916 Consideration of a resolution of the Commission of Knox County, Tennessee, approving a contract with Pro-Tech Electronic Monitoring Services for GPS Electronic Monitoring; Acceptance of New County Roads: Item M – Chillingsworth Lane, Mendonhall Estates Subdivision, District 7, Item N – Annatole Lane, Mendonhall Estates Subdivision, District 7; and Drives and Roads to be closed – Consideration of closure of right-of-way off Morgan Road on first reading, property located off Morgan Road, Peggy Thomas and Mary Smithers, property owners.

8. Without objection, Commissioner Moore amended the agenda to defer the following item to the October 2004 Board of Commissioners meeting: Resolution R-04-9-915 - Consideration of a resolution of the Commission of Knox County, Tennessee, appropriating \$100,000.00 for the Knoxville Botanical Gardens and Arboretum.

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IN RE: CONSENT ITEMS: (Book 19, Pg. 281)

1. Tax Refunds:

No request received.

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2. Notary Public Applications:

235 Notary Public Applications received.

Commissioner Mills moved to approve all Consent Items.

Commissioner Jordan seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Hammond, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills, Clark and Pinkston voted aye. The motion carried 19-0-0-0.

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IN RE: EDUCATION CONSENT CALENDAR:

IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, APPROVING A CONTRACT WITH DANKA OFFICE IMAGING, INC. TO PROVIDE COPIER MAINTENANCE SERVICES FOR KNOX COUNTY SCHOOLS – R-04-9-201: (Book 19, Pgs. 281 & 282)

Consideration of a resolution of the Commission of Knox County, Tennessee, approving a contract with Danka Office Imaging, Inc. to provide copier maintenance services for Knox County Schools was before the Board of Commissioners.

Commissioner Mills moved to approve Resolution R-04-9-201 Resolution of the Commission of Knox County, Tennessee, approving a contract with Danka Office Imaging, Inc. to provide copier maintenance services for Knox County Schools. Commissioner Tindell seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Hammond, Leuthold, Griess,

Cawood, Stephens, Horner, Moore, McMillan, Mills, Clark and Pinkston
voted aye. The motion carried 19-0-0-0.

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IN RE: CONSENT CALENDAR:

**IN RE: CONSIDERATION OF A RESOLUTION OF THE
COMMISSION OF KNOX COUNTY, TENNESSEE, HONORING
STERLING P. OWEN IV ON THE OCCASION OF HIS
APPOINTMENT AS POLICE CHIEF FOR THE CITY OF KNOXVILLE
R-04-9-101: (Book 19, Pgs. 282 & 283)**

This item was heard earlier on the day's agenda. (See Page
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**IN RE: CONSIDERATION OF A RESOLUTION OF THE
COMMISSION OF KNOX COUNTY, TENNESSEE, HONORING
MICHAEL THOMPSON FOR HEROIC BEHAVIOR RESULTING IN
SAVING HIS SISTER'S LIFE – R-04-9-102: (Book 19, Pg. 283)**

This item was heard earlier on the day's agenda. (See Page
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**IN RE: CONSIDERATION OF A RESOLUTION OF THE
COMMISSION OF KNOX COUNTY, TENNESSEE, APPROVING A
GRANT AGREEMENT WITH THE STATE OF TENNESSEE FOR
GENERAL LIBRARY SERVICES FUNDS FOR FISCAL YEAR 2005 IN
THE AMOUNT OF \$93,500.00 – R-04-9-202: (Book 19, Pg. 283)**

Consideration of a resolution of the Commission of Knox County, Tennessee, approving a grant agreement with the State of Tennessee for General Library Services funds for fiscal year 2005 in the amount of \$93,500.00 was before the Board of Commissioners.

Commissioner Griess moved to approve Resolution R-04-9-202 Resolution of the Commission of Knox County, Tennessee, approving a grant agreement with the State of Tennessee for General Library Services funds for fiscal year 2005 in the amount of \$93,500.00. Commissioner Mills seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Hammond, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills, Clark and Pinkston voted aye. The motion carried 19-0-0-0.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE
COMMISSION OF KNOX COUNTY, TENNESSEE, APPROVING A
GRANT AGREEMENT BETWEEN THE U.S. DEPARTMENT OF
JUSTICE AND THE KNOX COUNTY SHERIFF'S DEPARTMENT
FOR THE COPS IN SCHOOLS PROGRAM FOR 2004 – R-04-9-301:
(Book 19, Pg. 284)

Consideration of a resolution of the Commission of Knox County, Tennessee, approving a grant agreement between the U.S. Department of Justice and the Knox County Sheriff's Department for the Cops in Schools Program for 2004 was before the Board of Commissioners.

Commissioner Griess moved to approve Resolution R-04-9-301 Resolution of the Commission of Knox County, Tennessee, approving a grant agreement between the U.S. Department of Justice and the Knox

County Sheriff's Department for the Cops in Schools Program for 2004. Commissioner Mills seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Hammond, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills, Clark and Pinkston voted aye. The motion carried 19-0-0-0.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE
COMMISSION OF KNOX COUNTY, TENNESSEE, APPROVING A
TRANSFER OF FLOODPLAIN PROPERTY ON OAKEN DRIVE TO
THE KNOX COUNTY SCHOOL BOARD TO BE USED AS AN
OUTDOOR ENVIRONMENTAL CLASSROOM FOR HALLS HIGH
SCHOOL – R-04-9-401: (Book 19, Pgs. 284 & 285)

Consideration of a resolution of the Commission of Knox County, Tennessee, approving a transfer of floodplain property on Oaken Drive to the Knox County School Board to be used as an outdoor environmental classroom for Halls High School was before the Board of Commissioners.

Commissioner Griess moved to approve Resolution R-04-9-401 Resolution of the Commission of Knox County, Tennessee, approving a transfer of floodplain property on Oaken Drive to the Knox County School Board to be used as an outdoor environmental classroom for Halls High School. Commissioner Mills seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Hammond, Leuthold, Griess, Cawood, Stephens, Horner,

Moore, McMillan, Mills, Clark and Pinkston voted aye. The motion carried 19-0-0-0.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, APPROVING THE TRANSFER OF SURPLUS PROPERTY TO JIMMY JOHNSON – R-04-9-402: (Book 19, Pgs. 285 & 286)

Consideration of a resolution of the Commission of Knox County, Tennessee, approving the transfer of surplus property to Jimmy Johnson was before the Board of Commissioners.

Commissioner Griess moved to approve Resolution R-04-9-402 Resolution of the Commission of Knox County, Tennessee, approving the transfer of surplus property to Jimmy Johnson. Commissioner Mills seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Hammond, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills, Clark and Pinkston voted aye. The motion carried 19-0-0-0.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, APPROPRIATING \$1,749,369.00 FOR CONSTRUCTION OF PARKSIDE DRIVE, PHASE II – R-04-9-403: (Book 19, Pg. 286)

Consideration of a resolution of the Commission of Knox County, Tennessee, appropriating \$1,749,369.00 for construction of Parkside Drive, Phase II was before the Board of Commissioners.

Commissioner Griess moved to approve Resolution R-04-9-403 Resolution of the Commission of Knox County, Tennessee, appropriating \$1,749,369.00 for construction of Parkside Drive, Phase II. Commissioner Mills seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Hammond, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills, Clark and Pinkston voted aye. The motion carried 19-0-0-0.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE
COMMISSION OF KNOX COUNTY, TENNESSEE, APPROPRIATING
\$424,000.00 FOR RIGHT-OF-WAY ACQUISITION AND PROPERTY
APPRAISAL SERVICES FOR CENTRAL AVENUE PIKE AND WEST
BEAVER CREEK INTERSECTION IMPROVEMENT PROJECT –
R-04-9-404: (Book 19, Pgs. 286 & 287)

Consideration of a resolution of the Commission of Knox County, Tennessee, appropriating \$424,000.00 for right-of-way acquisition and property appraisal services for Central Avenue Pike and West Beaver Creek intersection improvement project was before the Board of Commissioners.

Commissioner Griess moved to approve Resolution R-04-9-404 Resolution of the Commission of Knox County, Tennessee, appropriating \$424,000.00 for right-of-way acquisition and property appraisal services for Central Avenue Pike and West Beaver Creek intersection improvement project. Commissioner Mills seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Hammond, Leuthold, Griess, Cawood, Stephens, Horner,

Moore, McMillan, Mills, Clark and Pinkston voted aye. The motion carried 19-0-0-0.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, APPROVING A TRANSFER OF PROPERTY TO THE TENNESSEE DEPARTMENT OF TRANSPORTATION FOR THE PURPOSE OF CONSTRUCTING THE ACCESS ROAD TO THE KNOX COUNTY VETERAN'S NURSING HOME – R-04-9-405: (Book 19, Pgs. 287 & 288)

Consideration of a resolution of the Commission of Knox County, Tennessee, approving a transfer of property to the Tennessee Department of Transportation for the purpose of constructing the access road to the Knox County Veteran's Nursing Home was before the Board of Commissioners.

Commissioner Griess moved to approve Resolution R-04-9-405 Resolution of the Commission of Knox County, Tennessee, approving a transfer of property to the Tennessee Department of Transportation for the purpose of constructing the access road to the Knox County Veteran's Nursing Home. Commissioner Mills seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Hammond, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills, Clark and Pinkston voted aye. The motion carried 19-0-0-0.

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

\$25,000.00 FOR RIGHT-OF-WAY ACQUISITION AND PROPERTY

APPRAISAL SERVICES FOR MARTIN MILL PIKE AND JOHN

SEVIER HIGHWAY INTERSECTION IMPROVEMENTS – R-04-9-406:

(Book 19, Pgs. 288 & 289)

Consideration of a resolution of the Commission of Knox County, Tennessee, appropriating \$25,000.00 for right-of-way acquisition and property appraisal services for Martin Mill Pike and John Sevier Highway intersection improvements was before the Board of Commissioners.

Commissioner Griess moved to approve Resolution R-04-9-406 Resolution of the Commission of Knox County, Tennessee, appropriating \$25,000.00 for right-of-way acquisition and property appraisal services for Martin Mill Pike and John Sevier Highway intersection improvements. Commissioner Mills seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Hammond, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills, Clark and Pinkston voted aye. The motion carried 19-0-0-0.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE
COMMISSION OF KNOX COUNTY, TENNESSEE, APPROPRIATING
\$1,000,000.00 AND APPROVING ADDENDUM ONE TO THE GRANT
AGREEMENT BETWEEN KNOX COUNTY AND IDLEAIRE FOR
TRUCK STOP ELECTRIFICATION – R-04-9-407: (Book 19, Pg. 289)

Consideration of a resolution of the Commission of Knox County, Tennessee, appropriating \$1,000,000.00 and approving addendum

one to the grant agreement between Knox County and Idleaire for truck stop electrification was before the Board of Commissioners.

Commissioner Griess moved to approve Resolution R-04-9-407 Resolution of the Commission of Knox County, Tennessee, appropriating \$1,000,000.00 and approving addendum one to the grant agreement between Knox County and Idleaire for truck stop electrification. Commissioner Mills seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Hammond, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills, Clark and Pinkston voted aye. The motion carried 19-0-0-0.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE
COMMISSION OF KNOX COUNTY, TENNESSEE, APPROVING
CONTRACT WITH TENNESSEE DEPARTMENT OF
TRANSPORTATION – R-04-9-408: Book 19, Pgs. 289 & 290)

Consideration of a resolution of the Commission of Knox County, Tennessee, approving contract with Tennessee Department of Transportation was before the Board of Commissioners.

Commissioner Griess moved to approve Resolution R-04-9-408 Resolution of the Commission of Knox County, Tennessee, approving contract with Tennessee Department of Transportation. Commissioner Mills seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Hammond, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills, Clark and Pinkston voted aye. The motion carried 19-0-0-0.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE
COMMISSION OF KNOX COUNTY, TENNESSEE, APPROVING AN
AGREEMENT BETWEEN KNOX COUNTY AND THE DISABILITY
RESOURCE CENTER TO PROVIDE HOMEOWNERSHIP
ASSISTANCE TO PHYSICALLY OR MENTALLY DISABLED
INDIVIDUALS OR FAMILIES – R-04-9-501: (Book 19, Pgs. 290 & 291)

Consideration of a resolution of the Commission of Knox County, Tennessee, approving an agreement between Knox County and the Disability Resource Center to provide homeownership assistance to physically or mentally disabled individuals or families was before the Board of Commissioners.

Commissioner Griess moved to approve Resolution R-04-9-501 Resolution of the Commission of Knox County, Tennessee, approving an agreement between Knox County and the Disability Resource Center to provide homeownership assistance to physically or mentally disabled individuals or families. Commissioner Mills seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Hammond, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills, Clark and Pinkston voted aye. The motion carried 19-0-0-0.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE
COMMISSION OF KNOX COUNTY, TENNESSEE, APPROVING A
GRANT AGREEMENT PROVIDING \$2,134,067.00 IN FEDERAL
FUNDS FOR LOCAL AND REGIONAL RESPONSE FOR HOMELAND
SECURITY – R-04-9-502: (Book 19, Pg. 291)

Consideration of a resolution of the Commission of Knox County, Tennessee, approving a grant agreement providing \$2,134,067.00 in federal funds for local and regional response for Homeland Security was before the Board of Commissioners.

Commissioner Griess moved to approve Resolution R-04-9-502 Resolution of the Commission of Knox County, Tennessee, approving a grant agreement providing \$2,134,067.00 in federal funds for local and regional response for Homeland Security. Commissioner Mills seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Hammond, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills, Clark and Pinkston voted aye. The motion carried 19-0-0-0.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE
COMMISSION OF KNOX COUNTY, TENNESSEE, ACCEPTING
PROPERTY DONATED BY THE LOVELL HEIGHTS COMMUNITY
CLUB TO BE USED BY THE FRANK STRANG SENIOR CENTER
AND FOR OTHER COUNTY NEEDS – R-04-9-503: (Book 19, Pgs. 291
& 292)

Consideration of a resolution of the Commission of Knox County, Tennessee, accepting property donated by the Lovell Heights Community Club to be used by the Frank Strang Senior Center and for other county needs was before the Board of Commissioners.

Commissioner Griess moved to approve Resolution R-04-9-503 Resolution of the Commission of Knox County, Tennessee, accepting property donated by the Lovell Heights Community Club to be used by the

Frank Strang Senior Center and for other county needs. Commissioner Mills seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Hammond, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills, Clark and Pinkston voted aye. The motion carried 19-0-0-0.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE
COMMISSION OF KNOX COUNTY, TENNESSEE, APPROVING A
GRANT AGREEMENT BETWEEN THE KNOX COUNTY HEALTH
DEPARTMENT AND HELEN ROSS MCNABB FOR THE PROVISION
OF SERVICES RELATED TO THE COMMUNITY PREVENTION
INITIATIVE – R-04-9-601: (Book 19, Pgs. 292 & 293)

Consideration of a resolution of the Commission of Knox County, Tennessee, approving a grant agreement between the Knox County Health Department and Helen Ross McNabb for the provision of services related to the Community Prevention Initiative was before the Board of Commissioners.

Commissioner Griess moved to approve Resolution R-04-9-601 Resolution of the Commission of Knox County, Tennessee, approving a grant agreement between the Knox County Health Department and Helen Ross McNabb for the provision of services related to the Community Prevention Initiative. Commissioner Mills seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Hammond, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills, Clark and Pinkston voted aye. The motion carried 19-0-0-0.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE
COMMISSION OF KNOX COUNTY, TENNESSEE, APPROPRIATING
FUNDS FOR IMPROVEMENTS TO THE CONCORD PARK SPORTS
FIELDS – R-04-9-701: (Book 19, Pg. 293)

Consideration of a resolution of the Commission of Knox County, Tennessee, appropriating funds for improvements to the Concord Park Sports Fields was before Board of Commissioners.

Commissioner Griess moved to approve Resolution R-04-9-701 Resolution of the Commission of Knox County, Tennessee, appropriating funds for improvements to the Concord Park Sports Fields. Commissioner Mills seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Hammond, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills, Clark and Pinkston voted aye. The motion carried 19-0-0-0.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE
COMMISSION OF KNOX COUNTY, TENNESSEE, APPROVING THE
AMOUNTS DESIGNATED AT FISCAL YEAR ENDED JUNE 30, 2004 -
R-04-9-801: (Book 19, Pg. 294)

Consideration of a resolution of the Commission of Knox County, Tennessee, approving the amounts designated at fiscal year ended June 30, 2004 was before the Board of Commissioners.

Commissioner Griess moved to approve Resolution R-04-9-801 Resolution of the Commission of Knox County, Tennessee, approving the amounts designated at fiscal year ended June 30, 2004. Commissioner Mills

seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Hammond, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills, Clark and Pinkston voted aye. The motion carried 19-0-0-0.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE
COMMISSION OF KNOX COUNTY, TENNESSEE, APPROPRIATING
\$576,949.00 FOR PUBLIC BUILDING AUTHORITY PROJECT
MANAGEMENT FEES FOR FISCAL YEAR 2004-2005 – R-04-9-802:
(Book 19, Pgs. 294 & 295)

Consideration of a resolution of the Commission of Knox County, Tennessee, appropriating \$576,949.00 for Public Building Authority project management fees for fiscal year 2004-2005 was before the Board of Commissioners.

Commissioner Griess moved to approve Resolution –04-9-802 Resolution of the Commission of Knox County, Tennessee, appropriating \$576,949.00 for Public Building Authority project management fees for fiscal year 2004-2005. Commissioner Mills seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Hammond, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills, Clark and Pinkston voted aye. The motion carried 19-0-0-0.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE
COMMISSION OF KNOX COUNTY, TENNESSEE, APPROVING A
TAX INCREMENT FINANCING AMENDMENT FOR THE

JACKSON/DEPOT REDEVELOPMENT AND URBAN RENEWAL

PLAN – R-04-9-901: (Book 19, Pg. 295)

Consideration of a resolution of the Commission of Knox County, Tennessee, approving a tax increment financing amendment for the Jackson/Depot Redevelopment and Urban Renewal Plan was before the Board of Commissioners.

Commissioner Griess moved to approve Resolution R-04-9-901 Resolution of the Commission of Knox County, Tennessee, approving a tax increment financing amendment for the Jackson/Depot Redevelopment and Urban Renewal Plan. Commissioner Mills seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Hammond, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills, Clark and Pinkston voted aye. The motion carried 19-0-0-0.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, APPROVING A GRANT AGREEMENT BETWEEN THE DISTRICT PUBLIC DEFENDER’S OFFICE AND TENNESSEE COMMISSION ON CHILDREN AND YOUTH IN THE AMOUNT OF \$57,431.00 – R-04-9-902: (Book 19, Pg. 296)

Consideration of a resolution of the Commission of Knox County, Tennessee, approving a grant agreement between the District Public Defender’s Office and Tennessee Commission on Children and Youth in the amount of \$57,431.00 was before the Board of Commissioners.

Commissioner Griess moved to approve Resolution R-04-9-902 Resolution of the Commission of Knox County, Tennessee, approving a grant agreement between the District Public Defender's Office and Tennessee Commission on Children and Youth in the amount of \$57,431.00. Commissioner Mills seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Hammond, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills, Clark and Pinkston voted aye. The motion carried 19-0-0-0.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE
COMMISSION OF KNOX COUNTY, TENNESSEE, APPROVING THE
PARTICIPATION OF KNOX COUNTY IN THE DOLLY PARTON
IMAGINATION LIBRARY PROJECT – R-04-9-904: (Book 19, Pgs. 296
& 297)

Consideration of a resolution of the Commission of Knox County, Tennessee, approving the participation of Knox County in the Dolly Parton Imagination Library Project was before the Board of Commissioners.

Commissioner Griess moved to approve Resolution R-04-9-904 Resolution of the Commission of Knox County, Tennessee, approving the participation of Knox County in the Dolly Parton Imagination Library Project. Commissioner Mills seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Hammond, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills, Clark and Pinkston voted aye. The motion carried 19-0-0-0.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE
COMMISSION OF KNOX COUNTY, TENNESSEE, DIRECTING THE
KNOX COUNTY ELECTION COMMISSION TO HOLD A
REFERENDUM ELECTION ON THE QUESTION OF IMPOSING AN
AMENDMENT TO THE KNOX COUNTY WHEEL TAX – R-04-9-905:
(Book 19, Pgs. 297 & 298)

Consideration of a resolution of the Commission of Knox County, Tennessee, directing the Knox County Election Commission to hold a referendum election on the question of imposing an amendment to the Knox County Wheel Tax was before the Board of Commissioners.

Commissioner Griess moved to approve Resolution R-04-9-905 Resolution of the Commission of Knox County, Tennessee, directing the Knox County Election Commission to hold a referendum election on the question of imposing an amendment to the Knox County Wheel Tax.

Commissioner Mills seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Hammond, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills, Clark and Pinkston voted aye. The motion carried 19-0-0-0.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE
COMMISSION OF KNOX COUNTY, TENNESSEE, APPROPRIATING
\$300,000.00 TO COMPLETE CONSTRUCTION OF THE NORTH
WEST SPORTS COMPLEX – R-04-9-906: (Book 19, Pg. 298)

Consideration of a resolution of the Commission of Knox County, Tennessee, appropriating \$300,000.00 to complete construction of the North West Sports Complex was before the Board of Commissioners.

Commissioner Griess moved to approve Resolution R-04-9-906 Resolution of the Commission of Knox County, Tennessee, appropriating \$300,000.00 to complete construction of the North West Sports Complex. Commissioner Mills seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Hammond, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills, Clark and Pinkston voted aye. The motion carried 19-0-0-0.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, APPROPRIATING FUNDS TO DESIGN, CONSTRUCT AND EQUIP THE NEW BURLINGTON BRANCH LIBRARY – R-04-9-907: (Book 19, Pgs. 298 & 299)

Consideration of a resolution of the Commission of Knox County, Tennessee, appropriating funds to design, construct and equip the new Burlington Branch Library was before the Board of Commissioners.

Commissioner Griess moved to approve Resolution R-04-9-907 Resolution of the Commission of Knox County, Tennessee, appropriating funds to design, construct and equip the new Burlington Branch Library. Commissioner Mills seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Hammond, Leuthold, Griess, Cawood, Stephens, Horner,

Moore, McMillan, Mills, Clark and Pinkston voted aye. The motion carried 19-0-0-0.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, APPROPRIATING FUNDS FOR DESIGN AND CONSTRUCTION AT THE POWELL COMMUNITY PARK – R-04-9-908: (Book 19, Pgs. 299 & 300)

Consideration of a resolution of the Commission of Knox County, Tennessee, appropriating funds for design and construction at the Powell Community Park was before the Board of Commissioners.

Commissioner Griess moved to approve Resolution R-04-9-908 Resolution of the Commission of Knox County, Tennessee, appropriating funds for design and construction at the Powell Community Park.

Commissioner Mills seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Hammond, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills, Clark and Pinkston voted aye. The motion carried 19-0-0-0.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, APPROPRIATING FUNDS FOR DESIGN AND CONSTRUCTION AT THE HALLS COMMUNITY PARK – R-04-9-909: (Book 19, Pg. 300)

Consideration of a resolution of the Commission of Knox County, Tennessee, appropriating funds for design and construction at the Halls Community Park was before the Board of Commissioners.

Commissioner Griess moved to approve Resolution R-04-9-909
Resolution of the Commission of Knox County, Tennessee, appropriating
funds for design and construction at the Halls Community Park.

Commissioner Mills seconded the motion and upon roll call vote
Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon,
Guthe, Schmid, Hammond, Leuthold, Griess, Cawood, Stephens, Horner,
Moore, McMillan, Mills, Clark and Pinkston voted aye. The motion carried
19-0-0-0.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE
COMMISSION OF KNOX COUNTY, TENNESSEE, APPROPRIATING
FUNDS FOR RENOVATIONS AND IMPROVEMENTS TO THE BECK
CULTURAL CENTER – R-04-9-910: (Book 19, Pgs. 300 & 301)

Consideration of a resolution of the Commission of Knox
County, Tennessee, appropriating funds for renovations and improvements
to the Beck Cultural Center was before the Board of Commissioners.

Commissioner Griess moved to approve Resolution R-04-9-910
Resolution of the Commission of Knox County, Tennessee, appropriating
funds for renovations and improvements to the Beck Cultural Center.

Commissioner Mills seconded the motion and upon roll call vote
Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon,
Guthe, Schmid, Hammond, Leuthold, Griess, Cawood, Stephens, Horner,
Moore, McMillan, Mills, Clark and Pinkston voted aye. The motion carried
19-0-0-0.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE
COMMISSION OF KNOX COUNTY, TENNESSEE, APPROPRIATING
FUNDS FOR DESIGN AND CONSTRUCTION OF THE NEW
CORRYTON SENIOR CENTER – R-04-9-911: (Book 19, Pg. 301)

Consideration of a resolution of the Commission of Knox County, Tennessee, appropriating funds for design and construction of the new Corryton Senior Center was before the Board of Commissioners.

Commissioner Griess moved to approve Resolution R-04-9-911 Resolution of the Commission of Knox County, Tennessee, appropriating funds for design and construction of the new Corryton Senior Center.

Commissioner Mills seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Hammond, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills, Clark and Pinkston voted aye. The motion carried 19-0-0-0.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE
COMMISSION OF KNOX COUNTY, TENNESSEE, APPROPRIATING
FUNDS FOR DESIGN AND CONSTRUCTION OF THE NEW SOUTH
KNOX SENIOR CENTER – R-04-9-912: (Book 19, Pg. 302)

Consideration of a resolution of the Commission of Knox County, Tennessee, appropriating funds for design and construction of the new South Knox Senior Center was before the Board of Commissioners.

Commissioner Griess moved to approve Resolution R-04-9-912 Resolution of the Commission of Knox County, Tennessee, appropriating funds for design and construction of the new South Knox Senior Center.

Commissioner Mills seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Hammond, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills, Clark and Pinkston voted aye. The motion carried 19-0-0-0.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, APPROPRIATING FUNDS FOR DESIGN AND CONSTRUCTION OF THE HALLS SENIOR CENTER – R-04-9-913: (Book 19, Pgs. 302 & 303)

Consideration of a resolution of the Commission of Knox County, Tennessee, appropriating funds for design and construction of the Halls Senior Center was before the Board of Commissioners.

Commissioner Griess moved to approve Resolution R-04-9-913 Resolution of the Commission of Knox County, Tennessee, appropriating funds for design and construction of the Halls Senior Center. Commissioner Mills seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Hammond, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills, Clark and Pinkston voted aye. The motion carried 19-0-0-0.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, APPROPRIATING \$250,000.00 FOR THE EAST TENNESSEE VETERAN’S MEMORIAL – R-04-9-914: (Book 19, Pg. 303)

Consideration of a resolution of the Commission of Knox County, Tennessee, appropriating \$250,000.00 for the East Tennessee Veteran's Memorial was before the Board of Commissioners.

Commissioner Griess moved to approve Resolution R-04-9-914 Resolution of the Commission of Knox County, Tennessee, appropriating \$250,000.00 for the East Tennessee Veteran's Memorial. Commissioner Mills seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Hammond, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills, Clark and Pinkston voted aye. The motion carried 19-0-0-0.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, APPROPRIATING \$100,000.00 FOR THE KNOXVILLE BOTANICAL GARDENS AND ARBORETUM – R-0-9-915: (Book 19, Pgs. 303 & 304)

This item was deferred to the October 2004 Board of Commissioners meeting. (See Amendments to the Agenda, Page _____)

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IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, APPROVING A CONTRACT WITH PRO-TECH ELECTRONIC MONITORING SERVICES FOR GPS ELECTRONIC MONITORING – R-04-9-916: (Book 19, pg. 304)

Consideration of a resolution of the Commission of Knox County, Tennessee, approving a contract with Pro-Tech Electronic

Monitoring Services for GPS electronic monitoring was before the Board of Commissioners.

Commissioner Griess moved to approve Resolution R-04-9-916 Resolution of the Commission of Knox County, Tennessee, approving a contract with Pro-Tech Electronic Monitoring Services for GPS electronic monitoring. Commissioner Mills seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Hammond, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills, Clark and Pinkston voted aye. The motion carried 19-0-0-0.

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IN RE: ACCEPTANCE OF NEW COUNTY ROADS: (Book 19, Pgs. 304 & 305)

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

- A. Terrapin Station, Terrapin Station Subdivision, District 6.
- B. Mendonhall Estates Boulevard, Mendonhall Estates Subdivision, District 7.
- C. Hidden Branch Lane, Hidden Branch Subdivision, Unit 2, District 6.
- D. Lyle Bend Lane, Opportunity Ridge Subdivision, Unit 5, District 8.
- E. Fernbank Road, Meadows of Millertown Subdivision, Unit 2, District 8.
- F. Cedargreens Road, Meadows of Millertown Subdivision, Unit 2, District 8.

- G. Bouquet Lane, Meadows of Millertown Subdivision, Unit 2,
District 8.
- H. Cedargreens Road, Meadows of Millertown Subdivision, Unit 3,
District 8.
- I. Parosol Lane, Meadows of Millertown Subdivision, Unit 3,
District 8.
- J. Cambridge Gables Lane, Graybeal Crossing Subdivision, District
8.
- K. Basenger Lane, Graybeal Crossing Subdivision, District 8.
- L. Belmont Park Lane, Belmont Park Subdivision, District 6.
- M. Chillingsworth Lane, Mendonhall Estates Subdivision, District 7.
- N. Annatole Lane, Mendonhall Estates Subdivision, District 7.

Commissioner Griess moved to approve the above acceptance of new county roads. Commissioner Mills seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Hammond, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills, Clark and Pinkston voted aye. The motion carried 19-0-0-0.

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IN RE: APPROVAL OF MINUTES OF THE PREVIOUS
MEETING: (Book 19, Pg. 306)

Consideration of approval of minutes of the previous meeting was before the Board of Commissioners.

Commissioner Mills moved to approve the minutes of the previous meeting. Commissioner Cawood seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody,

Harmon, Guthe, Schmid, Hammond, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills, Clark and Pinkston voted aye. The motion carried 19-0-0-0.

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IN RE: ELECTIONS AND APPOINTMENTS: (Book 19, Pgs. 306 & 307)

IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, APPOINTING LINDA CLAUSSEN TO THE KNOX COUNTY HISTORICAL ZONING COMMISSION – R-04-9-110: (Book 19, Pgs. 306 & 307)

Consideration of a resolution of the Commission of Knox County, Tennessee, appointing Linda Claussen to the Knox County Historical Zoning Commission was before the Board of Commissioners.

Commissioner Clark moved to approve Resolution R-04-9-110 Resolution of the Commission of Knox County, Tennessee, appointing Linda Claussen to the Knox County Historical Zoning Commission.

Commissioner Mills seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Hammond, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills, Clark and Pinkston voted aye. The motion carried 19-0-0-0.

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IN RE: DRIVES AND ROADS: (Book 19, Pgs. 307 & 208)

**IN RE: CONSIDERATION OF CLOSURE OF RIGHT-OF-WAY
OFF TERRY DRIVE. PROPERTY LOCATED OFF TERRY DRIVE.
JEFF HELLMUND AND DOUG LOCKHART. (FIRST READING):
(Book 19, Pg. 307)**

Consideration of closure of right-of-way off Terry Drive was before the Board of Commissioners on first reading. Property located off Terry Drive. Jeff Hellmund and Doug Lockhart.

Commissioner Mills moved to approve the closure of right-of-way off Terry Drive on first reading. Commissioner Leuthold seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Hammond, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills, Clark and Pinkston voted aye. The motion carried 19-0-0-0. Property located off Terry Drive. Jeff Hellmund and Doug Lockhart.

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**IN RE: CONSIDERATION OF CLOSURE OF RIGHT-OF-WAY
OFF MORGAN ROAD. PROPERTY LOCATED OFF MORGAN ROAD.
PEGGY THOMAS AND MARY SMITHERS, PROPERTY OWNERS.
(FIRST READING): (Book 19, Pgs. 307 & 308)**

Consideration of closure of right-of-way off Morgan Road was before the Board of Commissioners on first reading. Property located off Morgan Road. Peggy Thomas and Mary Smithers, property owners.

Commissioner Tindell moved to approve the closure of right-of-way off Morgan Road on first reading. Commissioner Mills seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Hammond, Leuthold, Griess,

Cawood, Stephens, Horner, Moore, McMillan, Mills, Clark and Pinkston voted aye. The motion carried 19-0-0-0. Property located off Morgan Road. Peggy Thomas and Mary Smithers, property owners.

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IN RE: RESOLUTIONS:

**IN RE: CONSIDERATION OF A RESOLUTION OF THE
COMMISSION OF KNOX COUNTY, TENNESSEE, APPROVING A
\$50.00 PAY INCREASE FOR ELECTION WORKERS, EFFECTIVE
NOVEMBER 2004 – R-04-9-903: (Book 19, Pgs. 308 & 309)**

Consideration of a resolution of the Commission of Knox County, Tennessee, approving a \$50.00 pay increase for Election Workers, Effective November 2004 was before the Board of Commissioners.

Mr. Mike Moyers, Knox County Law Director, Mr. Mike Ragsdale, Knox County Mayor, and Mr. Greg McKay, Administrator of Elections, were present and spoke on the matter.

Commissioner Cawood moved to approve Resolution R-04-9-903 - Resolution of the Commission of Knox County, Tennessee, approving a \$50.00 pay increase for Election Workers, Effective November 2004 with the following amendment: the pay increase is to be for officers only. Commissioner Harmon seconded the motion.

Commissioner Mills moved as a substitute motion to defer to the October 2004 Board of Commissioners meeting Resolution R-04-9-903 Resolution of the Commission of Knox County, Tennessee, approving a \$50.00 pay increase for Election Workers, Effective November 2004. Commissioner Jordan seconded the motion and upon roll call vote

Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Hammond, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills, Clark and Pinkston voted aye. The motion carried 19-0-0-0.

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IN RE: ORDINANCES ON FIRST READING:

IN RE: CONSIDERATION OF AN ORDINANCE OF THE
COMMISSION OF KNOX COUNTY, TENNESSEE, AMENDING KNOX
COUNTY CODE SECTION 62-186(A)(2) REGARDING PARKING
WITHIN FIRE OR OTHER DESIGNATED EMERGENCY ACCESS
LANES – O-04-9-101 – (FIRST READING): (Book 19, Pgs. 309 & 310)

Consideration of an Ordinance of the Commission of Knox County, Tennessee, amending Knox County Code Section 62-186(a)(2) regarding parking within fire or other designated emergency access lanes was before the Board of Commissioners on first reading.

Commissioner Tindell moved to defer to the November 2004 Board of Commissioners meeting Ordinance O-04-9-101 - Ordinance of the Commission of Knox County, Tennessee, amending Knox County Code Section 62-186(a)(2) regarding parking within fire or other designated emergency access lanes on first reading. Commissioner Mills seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Hammond, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills, Clark and Pinkston voted aye. The motion carried 19-0-0-0.

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IN RE: CONSIDERATION OF AN ORDINANCE OF THE
COMMISSION OF KNOX COUNTY, TENNESSEE, APPROVING
AMENDMENTS TO MPC’S MINIMUM SUBDIVISION
REGULATIONS - O-04-9-102 – (FIRST READING): (Book 19, Pg. 310)

Consideration of an Ordinance of the Commission of Knox County, Tennessee, approving amendments to MPC’s minimum subdivision regulations was before the Board of Commissioners on first reading.

Commissioner Tindell moved to approve Ordinance O-04-9-102 - Ordinance of the Commission of Knox County, Tennessee, approving amendments to MPC’s minimum subdivision regulations on first reading. Commissioner Mills seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Hammond, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills, Clark and Pinkston voted aye. The motion carried 19-0-0-0.

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IN RE: PUBLIC FORUM: (Book 19, Pgs. 310 & 311)

1. Mr. Jim Golden, concerned citizen, spoke concerning education in Knox County and the Wheel Tax.
2. Mr. John Hatton, concerned citizen, spoke concerning the Wheel Tax.

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IN RE: CONSIDERATION OF THE RE-ORGANIZATION OF THE
KNOX COUNTY COMMISSION AND COMMITTEES –
(CONTINUED): (Book 19, Pg. 311)

Commissioner Moore indicated the following Commissioners would serve on the following committees:

Rules Committee: Commissioners Hammond, Leuthold - Chairman, Cawood, Mills and Pinkston.

Cable TV Committee: Commissioners Strickland, Collins, Harmon, Guthe, Hammond – Vice-Chairman, Stephens, Horner, McMillan – Chairman, and Clark.

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IN RE: ZONING REQUESTS:

1. Consideration of the request of Knox County Emergency System, E-911 for a street name change from unnamed easement to Dana Point Way was before the Board of Commissioners. Street located between Bombay Lane and dead end. Sixth Commission District. (Book 19, Pgs. 311 & 312)

Commissioner Cawood moved to approve zoning request 8-B-04-SNC – Request of Knox County Emergency System, E-911 for a street name change from unnamed easement to Dana Point Way.

Commissioner Stephens seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Hammond, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills, Clark and Pinkston voted aye. The motion carried 19-0-0-0. Street located between Bombay Lane and dead end. Sixth Commission District.

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2. Consideration of the request of Knox County Emergency System, E-911 for a street name change from unnamed easement to

Birdsnest Way was before the Board of Commissioners. Street located between Ball Road and dead end. Sixth Commission District. (Book 19, Pg. 312)

Commissioner Cawood moved to approve zoning request 8-A-04-SNC – Request of Knox County Emergency System, E-911 for a street name change from unnamed easement to Birdsnest Way.

Commissioner Stephens seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Hammond, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills, Clark and Pinkston voted aye. The motion carried 19-0-0-0. Street located between Ball Road and dead end. Sixth Commission District.

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3. Consideration of the request of Knox County Emergency System, E-911 for a street name change from unnamed easement to Brown Vista Way was before the Board of Commissioners. Street located between Dodson Road and dead end. Ninth Commission District. (Book 19, Pgs. 312 & 313)

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

Commissioner Clark moved to approve zoning request 8-C-04-SNC – Request of Knox County Emergency System, E-911 for a street name change from unnamed easement to Brown Vista Way. Commissioner Pinkston seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Hammond, Leuthold, Griess, Cawood, Stephens, Horner,

Moore, McMillan, Mills, Clark and Pinkston voted aye. The motion carried 19-0-0-0. Street located between Dodson Road and dead end. Ninth Commission District.

* * * * *

4. Consideration of the request of Smith Campbell Joint Venture for a Northwest County Sector Plan Amendment from TP Technology Park Zone to LDR Low Density Residential Zone was before the Board of Commissioners. Property located on the south and east sides of Sam Lee Road, west of Solway Road. Sixth Commission District. (Book 19, Pg. 313)

No one was present to represent the request.

Commissioner Cawood moved to defer to the October 2004 Board of Commissioners meeting zoning request 6-C-04-SP – Request of Smith Campbell Joint Venture for a Northwest County Sector Plan Amendment from TP Technology Park Zone to LDR Low Density Residential Zone. Commissioner Stephens seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Hammond, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills, Clark and Pinkston voted aye. The motion carried 19-0-0-0.

This item was reconsidered later on the day's agenda. (See Page _____)

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5. Consideration of the request of Smith Campbell Joint Venture for rezoning from BP Business and Technology/TO Technology Overlay Zone to PR Planned Residential/TO Technology Overlay Zone was

before the Board of Commissioners. Property located on the south and east sides of Sam Lee Road, west of Solway Road. Sixth Commission District. (Book 19, Pg. 314)

No one was present to represent the request.

Commissioner Cawood moved to defer to the October 2004 Board of Commissioners meeting zoning request 6-J-04-RZ – Request of Smith Campbell Joint Venture for rezoning from BP Business and Technology/TO Technology Overlay Zone to PR Planned Residential/TO Technology Overlay Zone. Commissioner Stephens seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Hammond, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills, Clark and Pinkston voted aye. The motion carried 19-0-0-0.

This item was reconsidered later on the day's agenda. (See Page _____)

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6. Consideration of the request of Scott and Elisha Hall and MPC for a Northeast County Sector Plan Amendment from LDR Low Density Residential to MU Mixed Uses – Office, Medium Density Residential, Commercial was before the Board of Commissioners. Property located on the north side of East Emory Road, east of Tazewell Pike, Eighth Commission District. (Book 19, Pgs. 314 & 315)

Mr. Ewing “Buzz” Johnson, Director of Development Services for Metropolitan Planning Commission, was present and spoke on the matter.

Commissioner McMillan moved to defer to the October 2004 Board of Commissioners meeting zoning request 6-E-04-SP - Request of Scott and Elisha Hall and MPC for a Northeast County Sector Plan Amendment from LDR Low Density Residential to MU Mixed Uses – Office, Medium Density Residential, Commercial. Commissioner Mills seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Hammond, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills, Clark and Pinkston voted aye. The motion carried 19-0-0-0.

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7. Consideration of the request of Scott and Elisha Hall for rezoning from A Agricultural Zone to CA General Business Zone was before the Board of Commissioners. Property located on the north side of East Emory Road, east of Tazewell Pike. Eighth Commission District. (Book 19, Pgs. 315 & 316)

Mr. Ewing “Buzz” Johnson, Director of Development Services for Metropolitan Planning Commission, was present and spoke on the matter.

Commissioner McMillan moved to defer to the October 2004 Board of Commissioners meeting zoning request 6-R-04-RZ - Request of Scott and Elisha Hall for rezoning from A Agricultural Zone to CA General Business Zone. Commissioner Mills seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Hammond, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills, Clark and Pinkston voted aye. The motion carried 19-0-0-0.

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

8. Without objection, Commissioner Moore amended the agenda to hear the following item at this time: Zoning Request 8-Q-04-RZ – Request of Roy and Lela Lambert for rezoning from A Agricultural Zone to CB Business and Manufacturing Zone. (Book 19, Pg. 316)

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IN RE: ZONING REQUESTS – (CONTINUED):

8. Consideration of the request of Roy and Lela Lambert for rezoning from A Agricultural Zone to CB Business and Manufacturing Zone was before the Board of Commissioners. Property located on the northwest side of West Beaver Creek Drive, northeast side of Ammons Lane, northeast of Clinton Highway. Sixth Commission District. (Book 19, Pgs. 316 & 317)

Mr. Ewing “Buzz” Johnson, Director of Development Services for Metropolitan Planning Commission, was present and spoke on the matter.

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

Commissioner Stephens moved to approve zoning request 8-Q-04-RZ - Request of Roy and Lela Lambert for rezoning from A Agricultural Zone to CB Business and Manufacturing Zone. Commissioner Cawood seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Hammond, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills, Clark and Pinkston voted aye. The motion carried 19-0-0-0. Property

located on the northwest side of West Beaver Creek Drive, northeast side of Ammons Lane, northeast of Clinton Highway. Sixth Commission District.

* * * * *

9. Consideration of the request of Knox County Schools for rezoning from CA General Business Zone to Agricultural Zone was before the Board of Commissioners. Property located on the south side of East Governor John Sevier Highway, east of Nichols Road. Ninth Commission District. (Book 19, Pgs. 317 & 318)

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

Commissioner Clark moved to approve zoning request 8-C-04-RZ – Request of Knox County Schools for rezoning from CA General Business Zone to Agricultural Zone. Commissioner Pinkston seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Hammond, Leuthold, Griess, Cawood, Horner, Moore, McMillan, Mills, Clark and Pinkston voted aye. Commissioner Stephens was absent from the vote. The motion carried 18-0-0-1. Property located on the south side of East Governor John Sevier Highway, east of Nichols Road. Ninth Commission District.

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10. Consideration of the request of Roger L. and Rhonda L. Guinn for rezoning from RA Low Density Residential Zone to A Agricultural Zone was before the Board of Commissioners. Property located on the east side of Dogwood Road, east of Sam Crawford Road. Sixth Commission District. (Book 19, Pgs. 317 & 318)

Commissioner Cawood moved to approve zoning request 8-D-04-RZ – Request of Roger L. and Rhonda L. Guinn for rezoning from RA Low Density Residential Zone to A Agricultural Zone. Commissioner Horner seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Hammond, Leuthold, Griess, Cawood, Horner, Moore, McMillan, Mills, Clark and Pinkston voted aye. Commissioner Stephens was absent from the vote. The motion carried 18-0-0-1. Property located on the east side of Dogwood Road, east of Sam Crawford Road. Sixth Commission District.

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

9. Commissioner Cawood moved to amend the agenda to reconsider the following items at this time: Zoning Request 6-C-04-SP - Request of Smith Campbell Joint Venture for a Northwest County Sector Plan Amendment from TP Technology Park Zone to LDR Low Density Residential Zone; and Zoning Request 6-J-04-RZ – Request of Smith Campbell Joint Venture for rezoning from BP Business and Technology/TO Technology Overlay Zone to PR Planned Residential/TO Technology Overlay Zone. (Book 19, Pg. 318)

* * * * *

IN RE: ZONING REQUESTS – (CONTINUED):

11. Consideration of the request of Smith Campbell Joint Venture for a Northwest County Sector Plan Amendment from TP Technology Park Zone to LDR Low Density Residential Zone was before the Board of Commissioners. Property located on the south and east sides of

Sam Lee Road, west of Solway Road. Sixth Commission District. (Book 19, Pgs. 318 & 319)

Mr. Darby Campbell, representing Smith Campbell Joint Venture, was present and spoke on behalf of the request.

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

Commissioner Cawood moved to approve zoning request 6-C-04-SP – Request of Smith Campbell Joint Venture for a Northwest County Sector Plan Amendment from TP Technology Park Zone to LDR Low Density Residential Zone as per MPC’s recommendation.

Commissioner Horner seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Hammond, Leuthold, Griess, Cawood, Horner, Moore, McMillan, Mills, Clark and Pinkston voted aye. Commissioner Stephens was absent from the vote. The motion carried 18-0-0-1. Property located on the south and east sides of Sam Lee Road, west of Solway Road. Sixth Commission District.

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12. Consideration of the request of Smith Campbell Joint Venture for rezoning from BP Business and Technology/TO Technology Overlay Zone to PR Planned Residential/TO Technology Overlay Zone was before the Board of Commissioners. Property located on the south and east sides of Sam Lee Road, west of Solway Road. Sixth Commission District. (Book 19, Pgs. 319 & 320)

Mr. Darby Campbell, representing Smith Campbell Joint Venture, was present and spoke on behalf of the request.

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

Commissioner Cawood moved to approve zoning request 6-J-04-RZ – Request of Smith Campbell joint venture for rezoning from BP Business and Technology/TO Technology Overlay Zone to PR Planned Residential/TO Technology Overlay Zone at a density of 1 to 2.5 dwelling units per acre as per MPC’s recommendation. Commissioner Horner seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Hammond, Leuthold, Griess, Cawood, Horner, Moore, McMillan, Mills, Clark and Pinkston voted aye. Commissioner Stephens was absent from the vote. The motion carried 18-0-0-1. Property located on the south and east sides of Sam Lee Road, west of Solway Road. Sixth Commission District.

* * * * *

13. Consideration of the request of William C. and Carol S. Meredith, Jr. for rezoning from A Agricultural/TO Technology Overlay Zone to RA Low Density Residential/TO Technology Overlay Zone was before the Board of Commissioners. Property located on the southeast side of Lovell Road, southwest of Thompson Road. Sixth Commission District. (Book 19, Pgs. 320 & 321)

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

Commissioner Cawood moved to approve zoning request 8-E-04-RZ – Request of William C. and Carol S. Meredith, Jr. for rezoning from A Agricultural/TO Technology Overlay Zone to RA Low Density Residential/TO Technology Overlay Zone as per MPC’s recommendation.

Commissioner Griess seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Hammond, Leuthold, Griess, Cawood, Horner, Moore, McMillan, Mills, Clark and Pinkston voted aye. Commissioner Stephens was absent from the vote. The motion carried 18-0-0-1. Property located on the southeast side of Lovell Road, southwest of Thompson Road. Sixth Commission District.

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14. Consideration of the request of Gerald Martin Green for rezoning from A Agricultural Zone to RA Low Density Residential Zone was before the Board of Commissioners. Property located on the southeast side of Maplegreen Lane, southeast of Bluegrass Road. Fourth Commission District. (Book 19, Pg. 321)

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

Commissioner Schmid moved to approve zoning request 8-H-04-RZ – Request of Gerald Martin Green for rezoning from A Agricultural Zone to RA Low Density Residential Zone. Commissioner Guthe seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Hammond, Leuthold, Griess, Cawood, Horner, Moore, McMillan, Mills, Clark and Pinkston voted aye. Commissioner Stephens was absent from the vote. The motion carried 18-0-0-1. Property located on the southeast side of Maplegreen Lane, southeast of Bluegrass Road. Fourth Commission District.

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15. Consideration of the request of S & E Properties for a Southwest County Sector Plan amendment from Rural Residential and SLPA Slope Protection Zone to LDR Low Density Residential and SLPA Slope Protection Zone was before the Board of Commissioners. Property located on the northwest side of Dogwood Drive, southwest of Merriwood Drive. Fourth Commission District. (Book 19, Pg. 322)

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

Commissioner Schmid moved to approve zoning request 8-A-04-SP – Request of S & E Properties for a Southwest County Sector Plan amendment from Rural Residential and SLPA Slope Protection Zone to LDR Low Density Residential and SLPA Slope Protection Zone as per MPC’s recommendation. Commissioner Guthe seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Hammond, Leuthold, Griess, Cawood, Horner, Moore, McMillan, Mills, Clark and Pinkston voted aye. Commissioner Stephens was absent from the vote. The motion carried 18-0-0-1. Property located on the northwest side of Dogwood Drive, southwest of Merriwood Drive. Fourth Commission District.

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16. Consideration of the request of S & E Properties for rezoning from A Agricultural Zone to PR Planned Residential Zone was before the Board of Commissioners. Property located on the northwest side of Dogwood Drive, southwest of Merriwood Drive. Fourth Commission District. (Book 19, Pgs. 322 & 323)

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

Commissioner Schmid moved to approve zoning request 8-J-04-RZ – Request of S & E Properties for rezoning from A Agricultural Zone to PR Planned Residential Zone at a density of 1 to 3 dwelling units per acre as per MPC’s recommendation. Commissioner Guthe seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Hammond, Leuthold, Griess, Cawood, Horner, Moore, McMillan, Mills, Clark and Pinkston voted aye. Commissioner Stephens was absent from the vote. The motion carried 18-0-0-1. Property located on the northwest side of Dogwood Drive, southwest of Merriwood Drive. Fourth Commission District.

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17. Consideration of the request of Helen J. Vance for rezoning from A Agricultural Zone to OB Office, Medical and Related Services Zone was before the Board of Commissioners. Property located on the east side of Fox Road, south of Donovan Lane. Fifth Commission District. (Book 19, Pgs. 323 & 324)

Mr. Ewing “Buzz” Johnson, Director of Development Services for Metropolitan Planning Commission, was present and spoke on the matter.

Mr. Charles Vance, representing Helen J. Vance, was present and spoke on behalf of the request.

Ms. Sherry Cable, area resident, was present and spoke in opposition to the request.

Commissioner Griess moved to approve zoning request 8-L-04-RZ - Request of Helen J. Vance for rezoning from A Agricultural Zone to OB Office, Medical and Related Services Zone as per MPC's recommendation. Commissioner Moody seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Hammond, Griess, Cawood, Horner, Moore, McMillan, Mills, Clark and Pinkston voted aye. Commissioner Leuthold voted no. Commissioner Stephens was absent from the vote. The motion carried 17-1-0-1. Property located on the east side of Fox Road, south of Donovan Lane. Fifth Commission District.

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18. Consideration of the request of Benny Moorman for rezoning from A Agricultural Zone to PR Planned Residential Zone was before the Board of Commissioners. Property located on the southwest side of Andes Road, northwest of Troutman Lane. Sixth Commission District. (Book 19, Pgs. 324 & 325)

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

Commissioner Cawood moved to approve zoning request 8-M-04-RZ - Request of Benny Moorman for rezoning from A Agricultural Zone to PR Planned Residential Zone at a density of 1 to 3 dwelling units per acre as per MPC's recommendation. Commissioner Harmon seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Hammond, Leuthold, Griess, Cawood, Horner, Moore, McMillan, Mills, Clark and Pinkston voted

aye. Commissioner Stephens was absent from the vote. The motion carried 18-0-0-1. Property located on the southwest side of Andes Road, northwest of Troutman Lane. Sixth Commission District.

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19. Consideration of the request of S & E Properties for rezoning from A Agricultural Zone to PR Planned Residential Zone was before the Board of Commissioners. Property located on the northwest side of Snyder Road, northwest of Brackfield Acres Way. Fifth Commission District. (Book 19, Pg. 325)

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

Commissioner Griess moved to approve zoning request 8-N-04-RZ - Request of S & E Properties for rezoning from A Agricultural Zone to PR Planned Residential Zone at a density of 1 to 3 dwelling units per acre as per MPC's recommendation. Commissioner Leuthold seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Hammond, Leuthold, Griess, Cawood, Horner, Moore, McMillan, Mills, Clark and Pinkston voted aye. Commissioner Stephens was absent from the vote. The motion carried 18-0-0-1. Property located on the northwest side of Snyder Road, northwest of Brackfield Acres Way. Fifth Commission District.

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20. Consideration of the request of Katherine Wyrosdick for Thomas Ford for rezoning from A Agricultural Zone to CA General Business Zone was before the Board of Commissioners. Property located on

the south side of Hall Drive, south of Dutchtown Road. Fifth Commission District. (Book 19, Pgs. 325 & 326)

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

Commissioner Leuthold moved to approve zoning request 8-O-04-RZ - Request of Katherine Wyrosdick for Thomas Ford for rezoning from A Agricultural Zone to CA General Business Zone as per MPC's recommendation. Commissioner Hammond seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Hammond, Leuthold, Griess, Cawood, Horner, Moore, McMillan, Mills, Clark and Pinkston voted aye. Commissioner Stephens was absent from the vote. The motion carried 18-0-0-1. Property located on the south side of Hall Drive, south of Dutchtown Road. Fifth Commission District.

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21. Consideration of the request of B & J Enterprises for rezoning from A Agricultural Zone to CR Rural Commercial Zone was before the Board of Commissioners. Property located on the southwest side of Steele Road, northwest of Hardin Valley Road. Sixth Commission District. (Book 19, Pgs. 326 & 327)

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

Commissioner Cawood moved to approve zoning request 8-P-04-RZ - Request of B & J Enterprises for rezoning from A Agricultural Zone to CR Rural Commercial Zone as per MPC's recommendation. Commissioner Horner seconded the motion and upon roll call vote

Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Hammond, Leuthold, Griess, Cawood, Horner, Moore, McMillan, Mills, Clark and Pinkston voted aye. Commissioner Stephens was absent from the vote. The motion carried 18-0-0-1. Property located on the southwest side of Steele Road, northwest of Hardin Valley Road. Sixth Commission District.

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22. Consideration of the request of Roy and Lela Lambert for rezoning from A Agricultural Zone to CB Business and Manufacturing Zone was before the Board of Commissioners. Property located on the northwest side of West Beaver Creek Drive, northeast side of Ammons Lane, northeast of Clinton Highway. Sixth Commission District. (Book 19, Pg. 327)

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

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23. Consideration of the request of Jim and Morton Rose and Dovetail Development for a South City Sector amendment from LDR Low Density Residential and SP Slope Protection Zone to MDR Medium Density Residential and SP Slope Protection Zone was before the Board of Commissioners. Property located on the south side of Cherokee Trail and northeast side of Eddington Road. Ninth Commission District. (Book 19, Pgs. 327 & 328)

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

Commissioner Pinkston moved to approve zoning request

7-C-04-SP - Request of Jim and Morton Rose and Dovetail Development for a South City Sector amendment from LDR Low Density Residential and SP Slope Protection Zone to MDR Medium Density Residential and SP Slope Protection Zone as per MPC's recommendation. Commissioner Clark seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Hammond, Leuthold, Griess, Cawood, Horner, Moore, McMillan, Mills, Clark and Pinkston voted aye. Commissioner Stephens was absent from the vote. The motion carried 18-0-0-1. Property located on the south side of Cherokee Trail and northeast side of Eddington Road. Ninth Commission District.

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24. Consideration of the request of Jim and Morton Rose and Dovetail Development for rezoning from RA Low Density Residential and R-1 Single Family Residential Zone to RP-1 Planned Residential and PR Planned Residential Zone was before the Board of Commissioners. Property located on the south side of Cherokee Trail and northeast side of Eddington Road. Ninth Commission District. (Book 19, Pgs. 328 & 329)

Mr. Arthur Seymour, Attorney representing Jim and Morton Rose and Dovetail Development, was present and spoke on behalf of the request.

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

Commissioner Pinkston moved to approve zoning request 7-F-04-RZ – Request of Jim and Morton Rose and Dovetail Development for rezoning from RA Low Density Residential and R-1 Single Family Residential Zone to PR Planned Residential Zone at a density of 1 to 8

dwelling units per acre (county portion only) as per MPC's recommendation. Commissioner Clark seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Hammond, Leuthold, Griess, Cawood, Horner, Moore, McMillan, Mills, Clark and Pinkston voted aye. Commissioner Stephens was absent from the vote. The motion carried 18-0-0-1. Property located on the south side of Cherokee Trail and northeast side of Eddington Road. Ninth Commission District.

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25. Consideration of the request of Jim and Morton Rose and Dovetail Development for a South City Sector Plan Amendment from LDR Low Density and SLPA Slope Protection Zone to MDR Medium Density Residential and SLPA Slope Protection Zone was before the Board of Commissioners. Property located on the south side of Cherokee Trail and northeast side of Candora Road. Ninth Commission District. (Book 19, Pgs. 329 & 330)

Mr. Arthur Seymour, Attorney representing Jim and Morton Rose and Dovetail Development, was present and spoke on behalf of the request.

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

Commissioner Clark moved to approve zoning request 9-D-04-SP – Request of Jim and Morton Rose and Dovetail Development for a South City Sector Plan Amendment from LDR Low Density and SLPA Slope Protection Zone to MDR Medium Density Residential. Commissioner Pinkston seconded the motion and upon roll call vote Commissioners

Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Hammond, Leuthold, Griess, Cawood, Horner, Moore, McMillan, Mills, Clark and Pinkston voted aye. Commissioner Stephens was absent from the vote. The motion carried 18-0-0-1. Property located on the south side of Cherokee Trail and northeast side of Candora Road. Ninth Commission District.

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26. Consideration of the request of Jim and Morton Rose and Dovetail Development for rezoning from RA Low Density Residential Zone to PR Planned Residential Zone was before the Board of Commissioners. Property located on the south side of Cherokee Trail and northeast side of Candora Road. Ninth Commission District. (Book 19, Pg. 330)

Mr. Arthur Seymour, Attorney representing Jim and Morton Rose and Dovetail Development, was present and spoke on behalf of the request.

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

Commissioner Pinkston moved to approve zoning request 9-L-04-RZ – Request of Jim and Morton Rose and Dovetail Development for rezoning from RA Low Density Residential Zone to PR Planned Residential Zone at a density of 1 to 8 dwelling units per acre. Commissioner Clark seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Hammond, Leuthold, Griess, Cawood, Horner, Moore, McMillan, Mills, Clark and Pinkston voted aye. Commissioner Stephens was absent from the vote. The motion carried 18-0-0-1. Property located on

the south side of Cherokee Trail and northeast side of Candora Road. Ninth Commission District.

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IN RE: ROLL CALL BY DISTRICTS: (Book 19, Pg. 331)

Commissioner Moore dispensed with roll call by districts and called for adjournment.

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IN RE: ADJOURNMENT: (Book 19, Pg. 331)

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

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KNOX COUNTY BOARD OF COMMISSIONERS

SCOTT MOORE, CHAIRMAN

KNOX COUNTY BOARD OF COMMISSIONERS

The Knox County Board of Commissioners met in Regular Session on Monday, October 25, 2004 at 2:00 p.m. in the Main Assembly Room of the City-County Building, Main Avenue. Those members present were Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Hammond, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills, Clark and Pinkston. Also present were Mr. Mike Ragsdale, Knox County Mayor, Mr. Mike Moyers, Knox County Law Director, Mr. John Werner, Director, Knox County Finance and news media.

Commissioner Scott Moore, Chairman, presided.

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

IN RE: ROLL CALL: (Pg. 332, Bk. 19)

Mrs. Martha Beeler, Administrative Assistant, to Knox County Clerk, Mike Padgett called the roll.

* * * * *

IN RE: AMENDMENT TO THE AGENDA: (Pg. 332, Bk. 19)

At this time Commissioner Moore asked everyone to stand for a moment of silence for Mr. David Sprawl, Knox County Codes Inspector, who was killed.

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IN RE: DEVOTIONAL: (Pg. 332, Bk. 19)

Mr. Danny Trent, Principal at Karns Middle School gave the devotional.

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IN RE: AMENDMENT TO THE AGENDA: (Pg. 333, Bk. 19)

Without objection, Commissioner Moore heard R-04-10-101 – Resolution of the Commission of Knox County, Tennessee recognizing October 2004 as the “Month of the Young Adolescent”.

* * * * *

IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE RECOGNIZING OCTOBER 2004 AS THE “MONTH OF THE YOUNG ADOLESCENT”:

R-04-10-101: (Pg. 333, Bk. 19)

Consideration of a Resolution of the Commission of Knox County, Tennessee recognizing October 2004 as the “Month of the Young Adolescent” was before the Board of Commissioners.

Commissioner Horner moved to approve R-04-10-101 - Consideration of a Resolution of the Commission of Knox County, Tennessee recognizing October 2004 as the “Month of the Young Adolescent”. All Commissioners seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Hammond, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills, Clark and Pinkston voted aye. The motion carried 19-0-0-0.

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IN RE: PLEDGE OF ALLEGIANCE TO THE FLAG: (Pgs. 333 & 334, Bk. 19)

The following Knox County Students led the Pledge of Allegiance to the Flag:

Will Kronick, Taylor Lethgo, Caroline Burroughs, Caroline Golliher, Heath Stone, Brook Mercer, Kerri Winstead, Dane Edrada, Grace Black, Trevor Bayne, Carly Williams, Andrew Holcomb, Alexis Riggs, Danyell Trent, Brianna Whitted, Nathan Best, Elizabeth Sims, Cameron Walker, Lisa Stephens, Logan Smith, Devin Mattison, Sara Dean, Claire Kurtz, Cisco Carter, Ande Bond and Jacob Lawson.

* * * * *

IN RE: AMENDMENTS TO THE AGENDA: (Pgs. 334, 335 & 336, Bk. 19)

Without objection, Commissioner Moore amended the agenda as follows:

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Add R-04-10-911–Resolution of the Commission of Knox County, Tennessee, transferring \$40,000,000.00 to the Schools Capital Improvement Fund.

* * * * *

Add R-04-10-103 – Resolution of the Commission of Knox County, Tennessee honoring Commissioner Wanda Moody on the occasion of her election as President of the Tennessee County Commissioners Association.

* * * * *

Add R-04-10-912 – Resolution of the Commission of Knox County, Tennessee, expressing the intent of the Knox County Commission not to approve any land swap agreement or new cooperative venture with the City of Knoxville until such time as the City of Knoxville renounces and desists from the practice of involuntary annexation by ordinance.

Commissioner Griess objected to adding R-04-10-912 - Resolution of the Commission of Knox County, Tennessee, expressing the intent of the Knox County Commission not to approve any land swap agreement or new cooperative venture with the City of Knoxville until such time as the City of Knoxville renounces and desists from the practice of involuntary annexation by ordinance.

Upon roll call vote to add R-04-10-912 Resolution of the Commission of Knox County, Tennessee, expressing the intent of the Knox County Commission not to approve any land swap agreement or new cooperative venture with the City of Knoxville until such time as the City of Knoxville renounces and desists from the practice of involuntary annexation by ordinance, Commissioners Cawood, Stephens, Moore, McMillan, Mills, Clark and Pinkston voted aye. Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Hammond, Leuthold, Griess and Horner voted no. The vote failed 7-12-0-0.

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Defer to the November Board of Commissioners meeting
R-04-10-102 – Resolution of the Commission of Knox County, Tennessee Honoring Sue Methvin for her service on the Knox County Sheriff’s Merit Council.

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Defer to the November Board of Commissioners meeting
O-04-10-101 – Ordinance of the Commission of Knox County, Tennessee amending the Knox County Litter Ordinance.

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Remove from the consent calendar and hear on regular agenda

R-04-10-802 – Resolution approving the appropriation of \$2,965,000.00 for the Knox County Development Corporation for Economic Development.

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Withdraw from the agenda R-04-10-909 – Resolution approving a \$50.00 pay increase for Election Workers, effective November 2004.

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Hear after the consent agenda Government Efficiency Panel Report.

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Remove from the consent calendar and hear on regular agenda R-04-10-905 – Resolution of the Commission of Knox County, Tennessee requiring agencies and organizations receiving Knox County Community Grant funds to file an annual report outlining their use of the funds.

* * * * *

Withdraw from the agenda R-04-10-801 – Resolution of the Commission of Knox County, Tennessee approving the land swap between Knox County and the University of Tennessee.

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Defer to the November Board of Commissioners meeting R-04-10-903 – Resolution of the Commission of Knox County, Tennessee approving a lease for the Sons of the Revolution for space in the East Tennessee History Center.

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IN RE: CONSENT ITEMS: Pgs. 336, 337 & 338, Bk. 19)

Tax Refunds:

No tax refunds received.

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Notary Public Applications:

238 Notaries received.

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Reports of Officials: (Quarterly)

- A. County Mayor
- B. County Law Director
- C. Superintendent of Schools
- D. Trustee
- E. Medical Examiner
- F. Sheriff
- G. Public Libraries
- H. Old Records
- I. Government Efficiency Panel

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Reports of County Agencies (Quarterly)

- A. Department of Human Services
- B. Department of Child and Family Services
- C. Department of Air Quality Management
- D. Metropolitan Planning Commission
- E. Sheriff's Merit System
- F. Pre-Trial Release
- G. Jail Inspection Committee
- H. Alternative Sentencing Program
- I. Ambulance Review Commission

Commissioner Horner moved to approve the above Consent Items. Commissioner Mills seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Hammond, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills, Clark and Pinkston voted aye. The motion carried 19-0-0-0.

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IN RE: REPORT FROM THE GOVERNMENT EFFICIENCY

PANEL: (Pg. 338, Bk. 19)

Report from the Government Efficiency Panel was before the Board of Commissioners.

Dr. Bruce Walker, Chairman, Government Efficiency Panel, was present and spoke on the matter.

Mr. John Valliant, Vice Chairman of Panel II, was present and reported on contra accounts and consolidation of the Utility Districts.

No action was taken.

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IN RE: EDUCATION CONSENT CALENDAR:

IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE APPROVING A CONTRACT WITH DELTA DENTAL PLAN OF TENNESSEE TO BE THE CARRIER FOR KNOX COUNTY SCHOOLS EMPLOYEE DENTAL INSURANCE: R-04-10-201: Pgs. 338 & 339, Bk. 19)

Consideration of a Resolution of the Commission of Knox County, Tennessee approving a contract with Delta Dental Plan of

Tennessee to be the carrier for Knox County Schools employee dental insurance was before the Board of Commissioners.

Commissioner Griess moved to approve R-04-10-201
Consideration of a Resolution of the Commission of Knox County,
Tennessee approving a contract with Delta Dental Plan of Tennessee to be
the carrier for Knox County Schools employee dental insurance.

Commissioner Horner seconded the motion and upon roll call vote
Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon,
Guthe, Schmid, Hammond, Leuthold, Griess, Cawood, Stephens, Horner,
Moore, McMillan, Mills, Clark and Pinkston voted aye. The motion carried
19-0-0-0.

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IN RE: CONSENT CALENDAR:

**IN RE: CONSIDERATION OF A RESOLUTION OF THE
COMMISSION OF KNOX COUNTY, TENNESSEE, HONORING
COMMISSIONER WANDA MOODY ON THE OCCASION OF HER
ELECTION AS PRESIDENT OF THE TENNESSEE COUNTY
COMMISSIONERS ASSOCIATION: R-04-10-103: (Pg. 339, Bk. 19)**

Consideration of a Resolution of the Commission of Knox
County, Tennessee, honoring Commissioner Wanda Moody on the occasion
of her election as President of the Tennessee County Commissioners
Association was before the Board of Commissioners.

Commissioner Horner moved to approve R-04-10-103 -
Consideration of a Resolution of the Commission of Knox County,
Tennessee, honoring Commissioner Wanda Moody on the occasion of her
election as President of the Tennessee County Commissioners Association.

Commissioner Mills seconded the motion and upon roll call vote
Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon,
Guthe, Schmid, Hammond, Leuthold, Griess, Cawood, Stephens, Horner,
Moore, McMillan, Mills, Clark and Pinkston voted aye. The motion carried
19-0-0-0.

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**IN RE: CONSIDERATION OF A RESOLUTION OF THE
COMMISSION OF KNOX COUNTY, TENNESSEE APPROVING A
GRANT AGREEMENT IN THE AMOUNT OF \$861,000.00 BETWEEN
THE STATE OF TENNESSEE DEPARTMENT OF HEALTH AND
KNOX COUNTY FOR THE PROVISION OF WOMEN, INFANTS AND
CHILDREN (WIC) PROGRAM SERVICES: R-04-10-601: Pg. 340, Bk.
19)**

Consideration of a Resolution of the Commission of Knox
County, Tennessee approving a grant agreement in the amount of
\$861,000.00 between the State of Tennessee Department of Health and
Knox County for the Provision of Women, Infants and Children (WIC)
Program Services was before the Board of Commissioners.

Commissioner Horner moved to approve R-04-10-601
Consideration of a Resolution of the Commission of Knox County,
Tennessee approving a grant agreement in the amount of \$861,000.00
between the State of Tennessee Department of Health and Knox County for
the Provision of Women, Infants and Children (WIC) Program Services.
Commissioner Mills seconded the motion and upon roll call vote
Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon,
Guthe, Schmid, Hammond, Leuthold, Griess, Cawood, Stephens, Horner,

Moore, McMillan, Mills, Clark and Pinkston voted aye. The motion carried 19-0-0-0.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE APPROVING A NEW WATERLINE UTILITY EASEMENT FROM FIRST UTILITY DISTRICT FOR CONCORD MARINA: R-04-10-701: (Pgs. 340 & 341, Bk. 19)

Consideration of a Resolution of the Commission of Knox County, Tennessee approving a new waterline utility easement from First Utility District for Concord Marina was before the Board of Commissioners.

Commissioner Horner moved to approve R-04-10-701 - Consideration of a Resolution of the Commission of Knox County, Tennessee approving a new waterline utility easement from First Utility District for Concord Marina. Commissioner Mills seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Hammond, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills, Clark and Pinkston voted aye. The motion carried 19-0-0-0.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE APPROVING THE APPROPRIATION OF \$500,000.00 FOR DOWNTOWN DEVELOPMENT: R-04-10-803: (Pgs. 341 & 342, Bk. 19)

Consideration of a Resolution of the Commission of Knox County, Tennessee approving the appropriation of \$500,000.00 for downtown development was before the Board of Commissioners.

Commissioner Horner moved to approve R-04-10-803
Consideration of a Resolution of the Commission of Knox County, Tennessee approving the appropriation of \$500,000.00 for downtown development. Commissioner Mills seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Hammond, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills, Clark and Pinkston voted aye. The motion carried 19-0-0-0.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE APPROVING THE APPROPRIATION OF \$500,000.00 FOR REDEVELOPMENT IN FIVE POINTS: R-04-10-804: (Pg. 342, Bk. 19)

Consideration of a Resolution of the Commission of Knox County, Tennessee approving the appropriation of \$500,000.00 for redevelopment in Five Points was before the Board of Commissioners.

Commissioner Horner moved to approve R-04-10-804 -
Consideration of a Resolution of the Commission of Knox County, Tennessee approving the appropriation of \$500,000.00 for redevelopment in Five Points. Commissioner Mills seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Hammond, Leuthold, Griess, Cawood, Stephens, Horner,

Moore, McMillan, Mills, Clark and Pinkston voted aye. The motion carried 19-0-0-0.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE APPROVING THE APPROPRIATION OF \$312,283.00 FOR CITY/COUNTY IMPROVEMENTS: R-04-10-805: (Pgs. 342 & 343, Bk. 19)

Consideration of a Resolution of the Commission of Knox County, Tennessee approving the appropriation of \$312,283.00 for City/County improvements was before the Board of Commissioners.

Commissioner Horner moved to approve R-04-10-805 - Consideration of a Resolution of the Commission of Knox County, Tennessee approving the appropriation of \$312,283.00 for City/County improvements. Commissioner Mills seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Hammond, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills, Clark and Pinkston voted aye. The motion carried 19-0-0-0.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE APPROVING THE EXTENSION OF A GRANT AGREEMENT BETWEEN THE DISTRICT PUBLIC DEFENDER'S OFFICE AND HEART OF KNOXVILLE CAREER/RESOURCE CENTER: R-04-10-901: (Pgs. 343 & 344, Bk. 19)

Consideration of a Resolution of the Commission of Knox County, Tennessee approving the extension of a grant agreement between

the District Public Defender's Office and Heart of Knoxville

Career/Resource Center was before the Board of Commissioners.

Commissioner Horner moved to approve R-04-10-901

Consideration of a Resolution of the Commission of Knox County,

Tennessee approving the extension of a grant agreement between the District

Public Defender's Office and Heart of Knoxville Career/Resource Center.

Commissioner Mills seconded the motion and upon roll call vote

Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon,

Guthe, Schmid, Hammond, Leuthold, Griess, Cawood, Stephens, Horner,

Moore, McMillan, Mills, Clark and Pinkston voted aye. The motion carried

19-0-0-0.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE
COMMISSION OF KNOX COUNTY, TENNESSEE APPROVING A
CONTRACT WITH THE STATE OF TENNESSEE DEPARTMENT OF
HEALTH FOR THE RURAL EMERGENCY SERVICES PROGRAM:
R-04-10-904: (Pg. 344, Bk. 19)

Consideration of a Resolution of the Commission of Knox

County, Tennessee approving a contract with the State of Tennessee

Department of Health for the Rural Emergency Services Program was before

the Board of Commissioners.

Commissioner Horner moved to approve R-04-10-904 -

Consideration of a Resolution of the Commission of Knox County,

Tennessee approving a contract with the State of Tennessee Department of

Health for the Rural Emergency Services Program. Commissioner Mills

seconded the motion and upon roll call vote Commissioners Jordan,

Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Hammond, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills, Clark and Pinkston voted aye. The motion carried 19-0-0-0.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE
COMMISSION OF KNOX COUNTY, TENNESSEE REQUESTING A
MIDYEAR REPORT FROM THE KNOX COUNTY FINANCE
DIRECTOR DETAILING THE WAYS IN WHICH THE COUNTY IS
ACHIEVING FISCAL AND OPERATING EFFICIENCIES:
R-04-10-906: (Pgs. 344 & 345, Bk. 19)

Consideration of a Resolution of the Commission of Knox County, Tennessee requesting a midyear report from the Knox County Finance Director detailing the ways in which the County is achieving fiscal and operating efficiencies was before the Board of Commissioners.

Commissioner Horner moved to approve R-04-10-906 - Consideration of a Resolution of the Commission of Knox County, Tennessee requesting a midyear report from the Knox County Finance Director detailing the ways in which the County is achieving fiscal and operating efficiencies. Commissioner Mills seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Hammond, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills, Clark and Pinkston voted aye. The motion carried 19-0-0-0.

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

\$100,000.00 FOR THE KNOXVILLE BOTANICAL GARDENS AND ARBORETUM: R-04-10-908: (Pgs. 345 & 346, Bk. 19)

Consideration of a Resolution of the Commission of Knox County, Tennessee appropriating \$100,000.00 for the Knoxville Botanical Gardens and Arboretum was before the Board of Commissioners.

Commissioner Horner moved to approve R-04-10-908 - Consideration of a Resolution of the Commission of Knox County, Tennessee appropriating \$100,000.00 for the Knoxville Botanical Gardens and Arboretum. Commissioner Mills seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Hammond, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills, Clark and Pinkston voted aye. The motion carried 19-0-0-0.

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IN RE: AMENDMENT TO THE AGENDA: (Pg. 346, Bk. 19)

Without objection, Commissioner Moore added to the consent calendar R-04-10-905 – Resolution of the Commission of Knox County, Tennessee requiring agencies and organizations receiving Knox County Community Grant funds to file an annual report outlining their use of the funds.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE REQUIRING AGENCIES AND ORGANIZATIONS RECEIVING KNOX COUNTY COMMUNITY GRANT FUNDS TO FILE AN ANNUAL REPORT

OUTLINING THEIR USE OF THE FUNDS: R-04-10-905: (Pgs. 346 & 347, Bk. 19)

Consideration of a Resolution of the Commission of Knox County, Tennessee requiring agencies and organizations receiving Knox County Community Grant funds to file an annual report outlining their use of the funds was before the Board of Commissioners.

Commissioner Horner moved to approve R-04-10-905 - Consideration of a Resolution of the Commission of Knox County, Tennessee requiring agencies and organizations receiving Knox County Community Grant funds to file an annual report outlining their use of the funds. Commissioner Tindell seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Hammond, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills, Clark and Pinkston voted aye. The motion carried 19-0-0-0.

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IN RE: CONSIDERATION OF APPROVAL OF MINUTES OF THE PREVIOUS MEETING: (Pg. 347, Bk. 19)

Consideration of approval of minutes of the previous meeting was before the Board of Commissioners.

Commissioner Horner moved to approve the minutes of the previous meeting. Commissioner Stephens seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Hammond, Leuthold, Griess, Cawood, Stephens,

Horner, Moore, McMillan, Mills, Clark and Pinkston voted aye. The motion carried 19-0-0-0.

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IN RE: AMENDMENT TO THE AGENDA: (Pg. 347, Bk. 19)

At this time Mayor Mike Ragsdale spoke on the overcrowding of the jail facilities.

No action was taken.

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IN RE: ELECTIONS AND APPOINTMENTS: (Pg. 348, Bk. 19)

No Resolutions received.

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IN RE: DRIVES AND ROADS: (Pg. 348, Bk. 19)

Consideration of closure of right-of-way off Terry Drive was before the Board of Commissioners on second reading. Property located off Terry Drive. Property owners: Jeff Hellmund and Doug Lockhart.

Commissioner Horner moved to approve closure of right-of-way off Terry Drive on second reading. Property located off Terry Drive. Property owners: Jeff Hellmund and Doug Lockhart. Commissioner Leuthold seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Hammond, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills, Clark and Pinkston voted aye. The motion carried 19-0-0-0.

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Consideration of closure of right-of-way off Morgan Road was before the Board of Commissioners on second reading. Property located off Morgan Road. Property owners: Peggy Thomas and Mary Smithers.

Commissioner Horner moved to approve closure of right-of-way off Morgan Road on seconding reading. Property located off Morgan Road. Property owners: Peggy Thomas and Mary Smithers. Commissioner Leuthold seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Hammond, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills, Clark and Pinkston voted aye. The motion carried 19-0-0-0.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE APPROVING THE APPROPRIATION OF \$2,965,000.00 FOR THE KNOX COUNTY DEVELOPMENT CORPORATION FOR ECONOMIC DEVELOPMENT: R-04-10-802: (Pg. 349, Bk. 19)

Consideration of a Resolution of the Commission of Knox County, Tennessee approving the appropriation of \$2,965,000.00 for the Knox County Development Corporation for Economic Development was before the Board of Commissioners.

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

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

Commissioner Mills moved to approve R-04-10-802 - Consideration of a Resolution of the Commission of Knox County, Tennessee approving the appropriation of \$2,965,000.00 for the Knox County Development Corporation for Economic Development. Commissioner Horner seconded the motion and upon roll call vote

Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Hammond, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills, Clark and Pinkston voted aye. The motion carried 19-0-0-0.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE
COMMISSION OF KNOX COUNTY, TENNESSEE APPROVING THE
TRANSFER OF PARCEL ID 090JA0041, COWARD MILL ROAD TO
THE STATE OF TENNESSEE FOR THE VETERANS' NURSING
HOME AND OTHER STATE NEEDS: R-04-10-902: (Pg. 349 & 350, Bk.
19)

Consideration of a Resolution of the Commission of Knox County, Tennessee approving the transfer of Parcel ID 090JA0041, Coward Mill Road to the State of Tennessee for the Veterans' Nursing Home and other State needs was before the Board of Commissioners.

Mr. Mike Moyers, Knox County Law Director, was present and spoke on the matter.

Mr. Gerald Clark, Commander of the United Veterans of East Tennessee, was present and spoke on the matter.

Commissioner Mills moved to approve R-04-10-902 - Consideration of a Resolution of the Commission of Knox County, Tennessee approving the transfer of Parcel ID 090JA0041, Coward Mill Road to the State of Tennessee for the Veterans' Nursing Home and other State needs with the following amendment: In the transfer agreement a clause will be added if the property is not used as a Veteran's Nursing Home it would revert back to Knox County. Commissioner Horner seconded the

motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Hammond, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills, Clark and Pinkston voted aye. The motion carried 19-0-0-0.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE
COMMISSION OF KNOX COUNTY, TENNESSEE REQUESTING
THAT THE KNOX COUNTY MAYOR REVIEW AND ENSURE THE
SATISFACTION OF THE CONDITIONS PRECEDENT SET FORTH
IN RESOLUTION R-03-5-807 PRIOR TO THE TRANSFER OR SALE
OF THE FARMER’S MARKET PROPERTY: R-04-10-907: (Pgs. 350,
351, 352, 353 & 354, Bk. 19)

Consideration of a Resolution of the Commission of Knox County, Tennessee requesting that the Knox County Mayor review and ensure the satisfaction of the conditions precedent set forth in Resolution R-03-5-807 prior to the transfer or sale of the Farmer’s Market Property was before the Board of Commissioners.

Mr. Mike Moyers, Knox County Law Director, was present and spoke on the matter.

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

Mr. Herbert Slatery, Attorney, representing the Industrial Development Board, was present and spoke on the matter.

Mr. Mike Edwards, CEO, Chamber of Commerce, was present and spoke on the matter.

Mr. Bud Gilbert, Attorney, representing Graham Corporation, was present and spoke on the matter.

Mr. Wayne Cline, Attorney, representing Alice Bell Spring Hill Neighborhood, and the Northeast Knoxville Preservation Association, was present and spoke on the matter.

Commissioner McMillan moved to approve R-04-10-907 - Consideration of a Resolution of the Commission of Knox County, Tennessee requesting that the Knox County Mayor review and ensure the satisfaction of the conditions precedent set forth in Resolution R-03-5-807 prior to the transfer or sale of the Farmer's Market Property with the following amendments to be added:

BE IT RESOLVED, that the Knox County Mayor, Knox County Executive is hereby requested to ensure the satisfaction of the conditions precedent set forth in said R-03-5-807 and that he is hereby authorized to take such action; and

BE IT FURTHER RESOLVED, that Condition Precedent No. 3 of R-03-5-807 requiring a competitive process be used for the sale or lease of the Farmer's Market Property, must be satisfied prior to the conveyance of any of the property to any third party by the Industrial Development Board of the County of Knox; and

BE IT FURTHER RESOLVED, that Condition Precedent No. 5.c. R-03-5-807 requiring the top ten proposals as ranked by the Industrial Development Board of the County of Knox be presented for public view and comment/input for a reasonable period of time before any proposal is accepted, must be satisfied prior to the transfer or sale of any of the Farmer's

Market Property to any third party by the Industrial Development Board of the County of Knox; and

BE IT FURTHER RESOLVED, that Condition Precedent No. 5.d. of R-03-5-807 which requires Knox County and the Industrial Development Board of the County of Knox to work together with the Community to attempt to meet any needs identified in the Metropolitan Planning Commission and the Knox County Parks and Recreation Department Study and Report authorized by Resolution of the Commission of Knox County, Tennessee R-03-5-906 must be satisfied prior to the transfer or sale of any of the Farmer's Market Property to any third party by the Industrial Development Board of the County of Knox and that any needs consistent with the Report be attempted to be met to foster the full utilization of the Property pursuant to said Report and said Resolution; and

BE IT FURTHER RESOLVED, that these above cited conditions precedent set forth in said original R-03-5-807 and as set forth in this Resolution be deemed necessary to carryout the intent of these Resolutions and that they be satisfied prior to the transfer of sale of the Farmer's Market Property to any third party by the Industrial Development Board of the County of Knox.

Commissioner Cawood seconded the motion.

Commissioner Griess moved as a substitute motion to approve R-04-10-907 - Consideration of a Resolution of the Commission of Knox County, Tennessee requesting that the Knox County Mayor review and ensure the satisfaction of the conditions precedent set forth in Resolution R-03-5-807 prior to the transfer or sale of the Farmer's Market Property with the following amendment on Page 2 of the Resolution Delete BE IT

FURTHER RESOLVED, that Condition Precedent No. 5. c. requiring the top ten proposals as ranked by the Industrial Development Board of the County of Knox be presented for public view and commend/input for a reasonable period of time before any proposal is accepted; On Page 3 Delete BE IT FURTHER RESOLVED, that these conditions precedent set forth in said original Resolution R-03-5-807 and set forth in this Resolution be deemed necessary to carryout the intent of these Resolutions and that they be satisfied prior to the transfer or sale of the Farmer's Market Property. Commissioner Hammond seconded the motion.

There was a call for the question and upon roll call vote Commissioners Moody, Harmon, Guthe, Schmid, Hammond, Griess, Stephens, Horner, Clark and Pinkston voted aye. Commissioners Jordan, Strickland, Collins, Tindell, Leuthold, Cawood, Moore, McMillan and Mills voted no. The motion failed 10-9-0-0.

At this time Commissioner Moore amended the agenda to hear the 4:00 p.m. rezonings and to continue discussion after all rezonings are heard.

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IN RE: AMENDMENT TO THE AGENDA: (Pg. 354, Bk. 19)

Commissioner Mills moved to add the following rezoning to the consent calendar: 6-E-04-SP, 6-R-04-RZ, 9-B-04-RZ, 9-A-04-RZ, 9-F-04-RZ, 9-G-04-RZ and 9-J-04-RZ and approve as per Metropolitan Planning Commission's Recommendation. Commissioner Harmon seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Hammond,

Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills,
Clark and Pinkston voted aye. The motion carried 19-0-0-0.

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IN RE: ZONING REQUESTS: (4:00 P.M.) (Pgs. 354 & 355, Bk. 19)

Request of Scott and Elisha Hall and MPC for a Northeast
County Sector Plan Amendment from LDR (Low Density Residential) to
MU (Mixed Uses – Office, Medium Density Residential, Commercial)
6-E-04-SP was before the Board of Commissioners. Property located on the
north side of East Emory Road, east of Tazewell Pike. (Eighth Commission
District)

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

Commissioner Mills moved to approve 6-E-04-SP - Request of
Scott and Elisha Hall and MPC for a Northeast County Sector Plan
Amendment from LDR (Low Density Residential) to MU (Mixed Uses –
Office, Medium Density Residential, Commercial) as per Metropolitan
Planning Commission’s Recommendation: Approve MU (Mixed Use –
Office, Medium Density Residential and Commercial) for all parcels except
121-003. Commissioner Harmon seconded the motion and upon roll call
vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon,
Guthe, Schmid, Hammond, Leuthold, Griess, Cawood, Stephens, Horner,
Moore, McMillan, Mills, Clark and Pinkston voted aye. The motion carried
19-0-0-0.

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Request of Scott and Elisha Hall for rezoning from A
(Agricultural) to CA (General Business) 6-R-04-RZ was before the Board of

Commissioners. Property located on the north side of East Emory Road, east of Tazewell Pike. (Eighth Commission District)

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

Commissioner Mills moved to approve 6-R-04-RZ - Request of Scott and Elisha Hall for rezoning from A (Agricultural) to CA (General Business) as per Metropolitan Planning Commission's Recommendation: Approve CA (General Business). Commissioner Harmon seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Hammond, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills, Clark and Pinkston voted aye. The motion carried 19-0-0-0. (Pg. 355, Book 19)

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Request of Terry Patton for rezoning from A (Agricultural) to PR (Planned Residential) 9-B-04-RZ was before the Board of Commissioners. Property located on the east side of Fox Road, south of Donovan Lane. (Fifth Commission District)

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

Commissioner Mills moved to approve 9-B-04-RZ - Request of Terry Patton for rezoning from A (Agricultural) to PR (Planned Residential) as per Metropolitan Planning Commission's Recommendation: Approve PR (Planned Residential at a density of 1 to 3 dwelling units per acre. Commissioner Harmon seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Hammond, Leuthold, Griess, Cawood, Stephens, Horner,

Moore, McMillan, Mills, Clark and Pinkston voted aye. The motion carried 19-0-0-0. (Pg. 356, Book 19)

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Request of Worley Builders, Inc. for rezoning from A (Agricultural) to PR (Planned Residential) 9-A-04-RZ was before the Board of Commissioners. Property located on the northeast side of Lexi Landing Road, northeast of Cate Road. (Sixth Commission District)

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

Commissioner Mills moved to approve 9-A-04-RZ - Request of Worley Builders, Inc. for rezoning from A (Agricultural) to PR (Planned Residential) as per Metropolitan Planning Commission's Recommendation: Approve PR (Planned Residential). Commissioner Harmon seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Hammond, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills, Clark and Pinkston voted aye. The motion carried 19-0-0-0. (Pgs. 356 & 357, Book 19)

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Request of Holrob Investments, Inc. for rezoning from BP (Business and Technology Park) TO (Technology Overlay) to OB (Office, Medical, and Related Services)/ TO (Technology Overlay) 9-F-04-RZ was before the Board of Commissioners. Property located on the northeast side of Schaeffer Road, northwest of Lovell Road. (Sixth Commission District)

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

Commissioner Mills moved to approve 9-F-04-RZ - Request of Holrob Investments, Inc. for rezoning from BP (Business and Technology Park) TO (Technology Overlay) to OB (Office, Medical, and Related Services)/ TO (Technology Overlay) as per Metropolitan Planning Commission's Recommendation: Approve OB (Office, Medical and Related Services)/TO (Technology Overlay). Commissioner Harmon seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Hammond, Leuthold, Cawood, Stephens, Horner, Moore, McMillan, Mills, Clark and Pinkston voted aye. Commissioner Griess recused himself from the vote. The motion carried 18-0-1-0. (Pg. 357, Book 19)

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Request of Billy Winder for rezoning from A (Agricultural) to RA (Low Density Residential) 9-G-04-RZ was before the Board of Commissioners. Property located on the northwest side of E. Emory Road, northeast side of Morris Road. (Seventh Commission District)

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

Commissioner Mills moved to approve 9-G-04-RZ - Request of Billy Winder for rezoning from A (Agricultural) to RA (Low Density Residential) as per Metropolitan Planning Commission's Recommendation: Approve RA (Low Density Residential). Commissioner Harmon seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Hammond, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills, Clark and Pinkston voted aye. The motion carried 19-0-0-0. (Pg. 358, Book 19)

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Request of BMF Properties, LLC for rezoning from A (Agricultural) to PR (Planned Residential) 9-J-04-RZ was before the Board of Commissioners. Property located on the southwest side of Andes Road, northwest of Troutman Lane. (Sixth Commission District)

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

Commissioner Mills moved to approve 9-J-04-RZ - Request of BMF Properties, LLC for rezoning from A (Agricultural) to PR (Planned Residential) as per Metropolitan Planning Commission's Recommendation: Approve PR (Planned Residential) at a density of 1 to 3 dwelling units per acre. Commissioner Harmon seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Hammond, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills, Clark and Pinkston voted aye. The motion carried 19-0-0-0. (Pgs. 358 & 359, Bk. 19)

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IN RE: REZONING APPEALS: (Pg. 359, Bk. 19)

No Rezoning Appeals received.

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IN RE: AMENDMENTS TO THE KNOX COUNTY ZONING

ORDINANCE:

CONSIDERATION OF AN ORDINANCE OF THE COMMISSION OF KNOX COUNTY, TENNESSEE APPROVING AMENDMENTS TO MPC'S MINIMUM SUBDIVISION REGULATIONS: SECOND READING: 0-04-9-102: (Pg. 359, Bk. 19)

Consideration of an Ordinance of the Commission of Knox County, Tennessee approving amendments to MPC's Minimum Subdivision Regulations was before the Board of Commissioners on second reading.

Commissioner Mills moved to approve O-04-9-102 -

Consideration of an Ordinance of the Commission of Knox County, Tennessee approving amendments to MPC's Minimum Subdivision Regulations second reading. Commissioner Guthe seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Hammond, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills, Clark and Pinkston voted aye. The motion carried 19-0-0-0.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE REQUESTING THAT THE KNOX COUNTY MAYOR REVIEW AND ENSURE THE SATISFACTION OF THE CONDITIONS PRECEDENT SET FORTH IN RESOLUTION R-03-5-807 PRIOR TO THE TRANSFER OR SALE OF THE FARMER'S MARKET PROPERTY: R-04-10-907:

CONTINUED: (Pgs. 360& 361, Bk. 19)

Mr. Gene Mathis, area resident, was present and spoke on the matter.

Mr. Tim Graham, Graham Development, was present and spoke on the matter.

Mr. Bob Wolfenbarger, area resident, was present and spoke on the matter.

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

Upon roll of the substitute motion to approve R-04-10-907 - Consideration of a Resolution of the Commission of Knox County, Tennessee requesting that the Knox County Mayor review and ensure the satisfaction of the conditions precedent set forth in Resolution R-03-5-807 prior to the transfer or sale of the Farmer's Market Property with the following amendment: Page 2 of the Resolution Delete BE IT FURTHER RESOLVED, that Condition Precedent No. 5. c. requiring the top ten proposals as ranked by the Industrial Development Board of the County of Knox be presented for public view and commend/input for a reasonable period of time before any proposal is accepted. On Page 3 Delete BE IT FURTHER RESOLVED, that these conditions precedent set forth in said original Resolution R-03-5-807 and set forth in this Resolution be deemed necessary to carryout the intent of these Resolutions and that they be satisfied prior to the transfer or sale of the Farmer's Market Property, Commissioners Collins, Moody, Harmon, Guthe, Schmid, Hammond, Griess, Clark and Pinkston voted aye. Commissioners Jordan, Strickland, Tindell, Leuthold, Cawood, Horner, Moore, McMillan and Mills voted no. Commissioner Stephens was absent from the vote. The substitute motion failed 9-9-0-1.

Commissioner Cawood moved as a substitute motion to defer to the November Board of Commissiners meeting R-04-10-907 - Consideration of a Resolution of the Commission of Knox County, Tennessee requesting that the Knox County Mayor review and ensure the satisfaction of the conditions precedent set forth in Resolution R-03-5-807 prior to the transfer

or sale of the Farmer's Market Property. Commissioner Horner seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Tindell, Hammond, Leuthold, Cawood, Horner, Moore, McMillan, Mills, Clark and Pinkston voted aye. Commissioners Moody and Harmon voted no. Commissioners Collins, Guthe, Schmid and Griess abstained from the vote. Commissioner Stephens was absent from the vote. The substitute motion carried 12-2-4-1.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE
COMMISSION OF KNOX COUNTY, TENNESSEE APPROVING A
LAND SWAP BETWEEN KNOX COUNTY AND THE
CITY OF KNOXVILLE: R-04-10-910: (Pgs. 361 & 362, Bk. 19)

Consideration of a Resolution of the Commission of Knox County, Tennessee approving a land swap between Knox County and the City of Knoxville was before the Board of Commissioners.

Mr. Mike Moyers, Knox County Law Director, was present and spoke on the matter.

Commissioner Harmon moved to approve R-04-10-910 - Consideration of a Resolution of the Commission of Knox County, Tennessee approving a land swap between Knox County and the City of Knoxville. Commissioner Jordan seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Hammond, Leuthold, Griess, Cawood, Horner, Moore, McMillan, Mills, Clark and Pinkston voted aye. The motion carried 18-0-0-1. Commissioner Stephens was absent from the vote.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE
COMMISSION OF KNOX COUNTY, TENNESSEE TRANSFERRING
\$40,000,000.00 TO THE SCHOOLS CAPITAL IMPROVEMENT FUND:
R-04-10-911: (Pgs. 362 & 363, Bk. 19)

Consideration of a Resolution of the Commission of Knox County, Tennessee transferring \$40,000,000.00 to the Schools Capital Improvement Fund was before the Board Commissioners.

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

Mr. Ron McPherson, Supervisor of Financial Services and Accounting for Knox County Schools, was present and spoke on the matter.

Mr. Doug Whitted, Facilities Manager, for Knox County Schools, was present and spoke on the matter.

Commissioner Leuthold moved to approve R-04-10-911 – Consideration of a Resolution of the Commission of Knox County, Tennessee transferring \$40,000,000.00 to the Schools Capital Improvement Fund. Commissioner Hammond seconded the motion.

Commissioner Moody moved as a substitute motion that there be a resolution drafted and approved that conveys the thought that the administration and this commission has identified a revenue stream for \$40,000,000.00 for the schools capital improvement plan; and request that the school board develop and approve a revised capital plan and send it back to commission to be considered at the November meeting on R-04-10-911 - Consideration of a Resolution of the Commission of Knox County, Tennessee transferring \$40,000,000.00 to the Schools Capital Improvement Fund. The motion was seconded and upon roll call vote Commissioners

Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Hammond, Griess, Cawood, Horner, McMillan, Mills, Clark and Pinkston voted aye. Commissioners Leuthold and Moore voted no. Commissioner Stephens was absent from the vote. The substitute motion carried 16-2-0-1.

THE CAPTION FOR RESOLUTION R-04-10-911 WAS

AMENDED TO READ AS FOLLOWS: Resolution of the Commission of Knox County, Tennessee, identifying a revenue stream to support the construction of a new high school and requesting that the School Board adopt a revised Capital Plan to show how and when the school will be built.

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IN RE: PUBLIC FORUM: (Pg. 364, Bk. 19)

Mr. Jim Golden, concerned citizen, was present and spoke against the way Government operates.

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IN RE: ADJOURNMENT: (Pg. 364, Bk. 19)

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

SCOTT MOORE, CHAIRMAN

KNOX COUNTY BOARD OF COMMISSIONERS

The Knox County Board of Commissioners met in Regular Session on Monday, November 15, 2004 at 2:00 p.m. in the Main Assembly Room of the City-County Building, Main Avenue. Those members present were Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Hammond, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills, Clark and Pinkston. Also present were Mr. Mike Moyers, Knox County Law Director, Mr. Mike Ragsdale, Knox County Mayor, Mr. John Werner, Knox County Finance Director, Mr. Richard Walls, Knox County Internal Auditor, Mr. Dave Hill, Executive Director for Metropolitan Planning Commission, Mr. Ewing “Buzz” Johnson, Director of Development Services for Metropolitan Planning Commission, Mr. John Owings, Knox County Chief Deputy Law Director, and members of the news media.

Commissioner Moore, Chairman, presided.

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

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IN RE: ROLL CALL: (Book 20/Page 1)

Mrs. Martha Beeler, Administrative Assistant to the Knox County Clerk, called the roll.

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IN RE: DEVOTIONAL(Book 20/Page 1)

Chaplain Gale Lyon, Knox County Sheriff’s Department Chaplains Core, gave the devotional.

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IN RE: **PLEDGE OF ALLEGIANCE TO THE FLAG:(Book 20/Page 2)**

Commissioner Mills led the Pledge of Allegiance to the Flag.

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IN RE: **AMENDMENTS TO THE AGENDA: (Book 20/Page 2-3)**

1. Without objection, Commissioner Moore amended the agenda to add the following item to be heard after completion of the Consent Calendar: Discussion of a fire that occurred in the Powell Community on Sunday, November 14, 2004.

2. Without objection, Commissioner Moore amended the agenda to defer the following item to the December 2004 Board of Commissioners meeting: Zoning Request 10-H-04-RZ – Request of Harry W. Koogler for rezoning from A Agricultural Zone to PR Planned Residential Zone, property located on the southeast side of South Northshore Drive, southwest side of Toolles Bend Road, Fourth Commission District.

3. Without objection, Commissioner Moore amended the agenda to defer the following item to the December 2004 Board of Commissioners meeting: Ordinance O-04-11-103 - Consideration of an Ordinance of the Commission of Knox County, Tennessee, amending Knox County Code Section 62-186(a)(2) regarding parking within fire or other designated emergency access lanes. He also amended the agenda to hear the following item after completion of Resolution R-04-11-801: Resolution R-04-11-204 - Consideration of a resolution of the Commission of Knox County, Tennessee, appropriating \$3,000,000.00 for the design and construction of the addition/renovations to Karns High School and approving a contract with Design Innovations Architects.

4. Without objection, Commissioner Moore amended the agenda to hear the following item after completion of the Consent Calendar: Resolution R-04-11-801 - Consideration of a resolution of the Commission of Knox County, Tennessee, approving a Memorandum of Understanding between the Knox County Board of Education and Knox County, Tennessee.

5. Commissioner Moore amended the agenda to remove the following item from the Education Consent Calendar: Resolution R-04-11-204 - Consideration of a resolution of the Commission of Knox County, Tennessee, appropriating \$3,000,000.00 for the design and construction of the addition/renovations to Karns High School and approving a contract with Design Innovations Architects.

6. Commissioner Moore amended the agenda to defer the following item to the December 2004 Board of Commissioners meeting: Ordinance O-04-11-102 - Consideration of an Ordinance of the Commission of Knox County, Tennessee, amending the Knox County Litter Ordinance.

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IN RE: CONSENT ITEMS: (Book 20/Page 3-4)

1. Tax Refunds:

No request received.

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2. Notary Public Applications:

107 Notary Public Applications received.

Commissioner Mills moved to approve all Consent Items.

Commissioner Strickland seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Hammond, Leuthold, Griess, Cawood, Stephens, Horner,

Moore, McMillan, Mills, Clark and Pinkston voted aye. The motion carried 19-0-0-0.

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IN RE: EDUCATION CONSENT CALENDAR: (Book 20/Page 4)

IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, APPROVING A GRANT AGREEMENT BETWEEN THE STATE OF TENNESSEE DEPARTMENT OF LABOR AND WORKFORCE DEVELOPMENT AND KNOX COUNTY SCHOOLS FOR ADULT EDUCATION PROGRAMS - R-04-11-201: (Book 20/Page 4)

Consideration of a resolution of the Commission of Knox County, Tennessee, approving a grant agreement between the State of Tennessee Department of Labor and Workforce Development and Knox County Schools for Adult Education Programs was before the Board of Commissioners.

Commissioner Griess moved to approve Resolution R-04-11-201 - Resolution of the Commission of Knox County, Tennessee, approving a grant agreement between the State of Tennessee Department of Labor and Workforce Development and Knox County Schools for Adult Education Programs. Commissioner Horner seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Hammond, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills, Clark and Pinkston voted aye. The motion carried 19-0-0-0.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, APPROVING A GRANT AGREEMENT BETWEEN THE FRIENDS OF LITERACY AND KNOX COUNTY SCHOOLS TO PROVIDE ADULT LITERACY PROGRAMS - R-04-11-202: (Book 20/Page 5)

Consideration of a resolution of the Commission of Knox County, Tennessee, approving a grant agreement between the Friends of Literacy and Knox County Schools to provide Adult Literacy Programs was before the Board of Commissioners.

Commissioner Griess moved to approve Resolution R-04-11-202 - Resolution of the Commission of Knox County, Tennessee, approving a grant agreement between the Friends of Literacy and Knox County Schools to provide Adult Literacy Programs. Commissioner Horner seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Hammond, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills, Clark and Pinkston voted aye. The motion carried 19-0-0-0.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, APPROVING A CONTRACT WITH M & M HOUSE MOVERS FOR HOUSE REMOVAL AND EXCAVATION OF PROPERTY AT 9301 AND 9305 GULF PARK DRIVE - R-04-11-203: (Book 20/Page 5)

Consideration of a resolution of the Commission of Knox County, Tennessee, approving a contract with M & M House Movers for

house removal and excavation of property at 9301 and 9305 Gulf Park Drive was before the Board of Commissioners.

Commissioner Griess moved to approve Resolution R-04-11-203 - Resolution of the Commission of Knox County, Tennessee, approving a contract with M & M House Movers for house removal and excavation of property at 9301 and 9305 Gulf Park Drive. Commissioner Horner seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Hammond, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills, Clark and Pinkston voted aye. The motion carried 19-0-0-0.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, APPROPRIATING \$3,000,000.00 FOR THE DESIGN AND CONSTRUCTION OF THE ADDITIONS/RENOVATIONS TO KARNS HIGH SCHOOL AND APPROVING A CONTRACT WITH DESIGN INNOVATIONS ARCHITECTS - R-04-11-204: (Book 20/Page 6)

This item was heard later on the day's agenda. (See Page 43)

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IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, APPROVING A GRANT AGREEMENT BETWEEN THE STATE OF TENNESSEE DEPARTMENT OF LABOR AND WORKFORCE DEVELOPMENT AND KNOX COUNTY SCHOOLS FOR GED TESTING - R-04-11-205: (Book 20/Page 6)

Consideration of a resolution of the Commission of Knox County, Tennessee, approving a grant agreement between the State of Tennessee Department of Labor and Workforce Development and Knox County Schools for GED testing was before the Board of Commissioners.

Commissioner Griess moved to approve Resolution R-04-11-205 - Resolution of the Commission of Knox County, Tennessee, approving a grant agreement between the State of Tennessee Department of Labor and Workforce Development and Knox County Schools for GED testing. Commissioner Horner seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Hammond, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills, Clark and Pinkston voted aye. The motion carried 19-0-0-0.

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

(Book 20/Page 7-8)

7. Commissioner Moore amended the agenda to remove the following items from the Consent Calendar: Resolution R-04-11-102 - Resolution of the Commission of Knox County, Tennessee, honoring Albert Baah for his service to Knox County as a member of the Government Efficiency Panel; Resolution R-04-11-103 - Resolution of the Commission of Knox County, Tennessee, honoring Tom Jensen for his service to Knox County as a member of the Government Efficiency Panel; Resolution R-04-11-104 - Resolution of the Commission of Knox County, Tennessee, honoring Danni Varlan for her service to Knox County as a member of the Government Efficiency Panel; Resolution R-04-11-105 – Resolution of the

Commission of Knox County, Tennessee, honoring Reese Thomas for his service to Knox County as a member of the Government Efficiency Panel; Resolution R-04-11-106 - Resolution of the Commission of Knox County, Tennessee, honoring Bob Hill for his service to Knox County as a member of the Government Efficiency Panel; Resolution R-04-11-107 - Resolution of the Commission of Knox County, Tennessee, honoring Steven Fritts for his service to Knox County as a member of the Government Efficiency Panel; Resolution R-04-11-108 - Resolution of the Commission of Knox County, Tennessee, honoring Marvin Hammond for his service to Knox County as a member of the Government Efficiency Panel; R-04-11-109 - Resolution of the Commission of Knox County, Tennessee, honoring John Valliant for his service to Knox County as a member of the Government Efficiency Panel; and R-04-11-110 - Resolution of the Commission of Knox County, Tennessee, honoring Bruce Walker for his service to Knox County as a member of the Government Efficiency Panel.

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IN RE: CONSENT CALENDAR:

IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, HONORING SUE METHVIN FOR HER SERVICE ON THE KNOX COUNTY SHERIFF'S MERIT COUNCIL - R-04-11-101: (Book 20/Page 8)

Consideration of a resolution of the Commission of Knox County, Tennessee, honoring Sue Methvin for her service on the Knox County Sheriff's Merit Council was before the Board of Commissioners.

Without objection, Commissioner Moore deferred to the December 2004 meeting the resolution of the Commission of Knox County, Tennessee, honoring Sue Methvin for her service on the Knox County Sheriff's Merit Council.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, HONORING ALBERT BAAH FOR HIS SERVICE TO KNOX COUNTY AS A MEMBER OF THE GOVERNMENT EFFICIENCY PANEL – R-04-11-102: (Book 20/Page 9)

This item was heard later on the day's agenda. (See Page 19)

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IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, HONORING TOM JENSEN FOR HIS SERVICE TO KNOX COUNTY AS A MEMBER OF THE GOVERNMENT EFFICIENCY PANEL - R-04-11-103: (Book 20/Page 9)

This item was heard later on the day's agenda. (See Page 20)

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IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, HONORING DANNI VARLAN FOR HER SERVICE TO KNOX COUNTY AS A MEMBER OF THE GOVERNMENT EFFICIENCY PANEL – R-04-11-104: (Book 20/Page 9)

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

21)

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**IN RE: CONSIDERATION OF A RESOLUTION OF THE
COMMISSION OF KNOX COUNTY, TENNESSEE, HONORING
REESE THOMAS FOR HIS SERVICE TO KNOX COUNTY AS A
MEMBER OF THE GOVERNMENT EFFICIENCY PANEL –**

R-04-11-105: (Book 20/Page 10)

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

22)

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**IN RE: CONSIDERATION OF A RESOLUTION OF THE
COMMISSION OF KNOX COUNTY, TENNESSEE, HONORING BOB
HILL FOR HIS SERVICE TO KNOX COUNTY AS A MEMBER OF
THE GOVERNMENT EFFICIENCY PANEL - R-04-11-106: (Book**

20/Page 10)

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

22)

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**IN RE: CONSIDERATION OF A RESOLUTION OF THE
COMMISSION OF KNOX COUNTY, TENNESSEE, HONORING
STEVEN FRITTS FOR HIS SERVICE TO KNOX COUNTY AS A
MEMBER OF THE GOVERNMENT EFFICIENCY PANEL –**

R-04-11-107: (Book 20/Page 10)

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

23)

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**IN RE: CONSIDERATION OF A RESOLUTION OF THE
COMMISSION OF KNOX COUNTY, TENNESSEE, HONORING
MARVIN HAMMOND FOR HIS SERVICE TO KNOX COUNTY AS A
MEMBER OF THE GOVERNMENT EFFICIENCY PANEL –
R-04-11-108: (Book 20/Page 10-11)**

This item was heard later on the day's agenda. (See Page
24)

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**IN RE: CONSIDERATION OF A RESOLUTION OF THE
COMMISSION OF KNOX COUNTY, TENNESSEE, HONORING JOHN
VALLIANT FOR HIS SERVICE TO KNOX COUNTY AS A MEMBER
OF THE GOVERNMENT EFFICIENCY PANEL - R-04-11-109: (Book
20/Page 11)**

This item was heard later on the day's agenda. (See Page
24)

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**IN RE: CONSIDERATION OF A RESOLUTION OF THE
COMMISSION OF KNOX COUNTY, TENNESSEE, HONORING
BRUCE WALKER FOR HIS SERVICE TO KNOX COUNTY AS A
MEMBER OF THE GOVERNMENT EFFICIENCY PANEL –
R-04-11-110: (Book 20/Page 11)**

This item was heard later on the day's agenda. (See Page
25)

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IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, APPROVING AMENDMENT ONE TO GRANT Z-05-020611-00 BETWEEN THE STATE OF TENNESSEE AND KNOX COUNTY ALTERNATIVE TO PRISON PROGRAM - R-04-11-301: (Book 20/Page 11)

Consideration of a resolution of the Commission of Knox County, Tennessee, approving amendment one to grant Z-05-020611-00 between the State of Tennessee and Knox County Alternative to Prison Program was before the Board of Commissioners.

Commissioner Horner moved to approve Resolution R-04-11-301 - Resolution of the Commission of Knox County, Tennessee, approving amendment one to grant Z-05-020611-00 between the State of Tennessee and Knox County Alternative to Prison Program. Commissioner Stephens seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Hammond, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills, Clark and Pinkston voted aye. The motion carried 19-0-0-0.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, APPROVING A GRANT AGREEMENT BETWEEN THE STATE OF TENNESSEE, COMMISSION ON CHILDREN AND YOUTH AND KNOX COUNTY FOR THE PROVISION OF JUVENILE ACCOUNTABILITY BLOCK GRANT FUNDS IN THE AMOUNT OF \$79,933.00 - R-04-11-501: (Book 20/Page 12)

Consideration of a resolution of the Commission of Knox County, Tennessee, approving a grant agreement between the State of Tennessee, Commission on Children and Youth and Knox County for the provision of juvenile accountability block grant funds in the amount of \$79,933.00 was before the Board of Commissioners.

Commissioner Horner moved to approve Resolution R-04-11-501 - Resolution of the Commission of Knox County, Tennessee, approving a grant agreement between the State of Tennessee, Commission on Children and Youth and Knox County for the provision of juvenile accountability block grant funds in the amount of \$79,933.00.

Commissioner Stephens seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Hammond, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills, Clark and Pinkston voted aye. The motion carried 19-0-0-0.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, APPROPRIATING MATCHING FUNDS FOR THE 2004-2005 LOCAL LAW-ENFORCEMENT BLOCK GRANT - R-04-11-502:(Book 20/Page 13)

Consideration of a resolution of the Commission of Knox County, Tennessee, appropriating matching funds for the 2004-2005 local law-enforcement block grant was before the Board of Commissioners.

Commissioner Horner moved to approve Resolution

R-04-11-502 - Resolution of the Commission of Knox County, Tennessee, appropriating matching funds for the 2004-2005 local law-enforcement block grant. Commissioner Stephens seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Hammond, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills, Clark and Pinkston voted aye. The motion carried 19-0-0-0.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, APPROVING THE CONVERSION OF TWO TRANSITIONAL HOUSING UNITS TO PERMANENT HOUSING FOR HOMELESS SINGLE WOMEN AT THE YWCA - R-04-11-503: (Book 20/Page 14)

Consideration of a resolution of the Commission of Knox County, Tennessee, approving the conversion of two transitional housing units to permanent housing for homeless single women at the YWCA was before the Board of Commissioners.

Commissioner Horner moved to approve Resolution R-04-11-503 - Resolution of the Commission of Knox County, Tennessee, approving the conversion of two transitional housing units to permanent housing for homeless single women at the YWCA. Commissioner Stephens seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Hammond, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills, Clark and Pinkston voted aye. The motion carried 19-0-0-0.

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**IN RE: CONSIDERATION OF A RESOLUTION OF THE
COMMISSION OF KNOX COUNTY, TENNESSEE, APPROVING
GRANT FUNDS APPROPRIATED BY HUD FOR VARIOUS KNOX
COUNTY PROJECTS - R-04-11-504: (Book 20/Page 14)**

Consideration of a resolution of the Commission of Knox County, Tennessee, approving grant funds appropriated by HUD for various Knox County projects was before the Board of Commissioners.

Commissioner Horner moved to approve Resolution R-04-11-504 - Resolution of the Commission of Knox County, Tennessee, approving grant funds appropriated by HUD for various Knox County projects. Commissioner Stephens seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Hammond, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills, Clark and Pinkston voted aye. The motion carried 19-0-0-0.

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**IN RE: CONSIDERATION OF A RESOLUTION OF THE
COMMISSION OF KNOX COUNTY, TENNESSEE, APPROVING
AMENDMENT 1 TO GRANT AGREEMENT GG-05-11098-00
BETWEEN KNOX COUNTY AND THE TENNESSEE DEPARTMENT
OF HEALTH FOR THE PROVISION OF COMBINED MULTI-
HEALTH SERVICES - R-04-11-601: (Book 20/Page 15)**

Consideration of a resolution of the Commission of Knox County, Tennessee, approving Amendment 1 to grant agreement

GG-05-11098-00 between Knox County and the Tennessee Department of Health for the provision of combined multi-health services was before the Board of Commissioners.

Commissioner Horner moved to approve Resolution R-04-11-601 - Resolution of the Commission of Knox County, Tennessee, approving Amendment 1 to grant agreement GG-05-11098-00 between Knox County and the Tennessee Department of Health for the provision of combined multi-health services. Commissioner Stephens seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Hammond, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills, Clark and Pinkston voted aye. The motion carried 19-0-0-0.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE
COMMISSION OF KNOX COUNTY, TENNESSEE, APPROVING A
GRANT AGREEMENT BETWEEN KNOX COUNTY AND THE HELEN
ROSS MCNABB CENTER FOR THE PROVISION OF SERVICES
RELATED TO THE COMMUNITY PREVENTION INITIATIVE
PROGRAM - R-04-11-602: (Book 20/Page 16)

Consideration of a resolution of the Commission of Knox County, Tennessee, approving a grant agreement between Knox County and the Helen Ross McNabb Center for the provision of services related to the Community Prevention Initiative Program was before the Board of Commissioners.

Commissioner Horner moved to approve Resolution

R-04-11-602 - Resolution of the Commission of Knox County, Tennessee, approving a grant agreement between Knox County and the Helen Ross McNabb Center for the provision of services related to the Community Prevention Initiative Program. Commissioner Stephens seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Hammond, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills, Clark and Pinkston voted aye. The motion carried 19-0-0-0.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, APPROVING A CONTRACT BETWEEN KNOX COUNTY GOVERNMENT AND KENNETH G. WAY & CO. FOR COMPUTER UPGRADE SERVICES - R-04-11-603: (Book 20/Page 17)

Consideration of a resolution of the Commission of Knox County, Tennessee, approving a contract between Knox County Government and Kenneth G. Way & Co. for computer upgrade services was before the Board of Commissioners.

Commissioner Horner moved to approve Resolution R-04-11-603 - Resolution of the Commission of Knox County, Tennessee, approving a contract between Knox County Government and Kenneth G. Way & Co. for computer upgrade services. Commissioner Stephens seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Hammond, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills, Clark and Pinkston voted aye. The motion carried 19-0-0-0.

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**IN RE: CONSIDERATION OF A RESOLUTION OF THE
COMMISSION OF KNOX COUNTY, TENNESSEE, APPROVING A
CONTRACT TO SELL TWO ACRES OF LAND IN THE FORKS OF
THE RIVER INDUSTRIAL PARK TO FI-SHOCK - R-04-11-701: (Book
20/Page 17)**

Consideration of a resolution of the Commission of Knox County, Tennessee, approving a contract to sell two acres of land in the Forks of the River Industrial Park to Fi-Shock was before the Board of Commissioners.

Commissioner Horner moved to approve Resolution R-04-11-701 - Resolution of the Commission of Knox County, Tennessee, approving a contract to sell two acres of land in the Forks of the River Industrial Park to Fi-Shock. Commissioner Stephens seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Hammond, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills, Clark and Pinkston voted aye. The motion carried 19-0-0-0.

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**IN RE: CONSIDERATION OF A RESOLUTION OF THE
COMMISSION OF KNOX COUNTY, TENNESSEE, APPROVING
GIFTS SPONSORING THE KNOX COUNTY SENIOR SUMMIT –
R-04-11-802: (Book 20/Page 18)**

Consideration of a resolution of the Commission of Knox County, Tennessee, approving gifts sponsoring the Knox County Senior Summit was before the Board of Commissioners.

Commissioner Horner moved to approve Resolution R-04-11-802 - Resolution of the Commission of Knox County, Tennessee, approving gifts sponsoring the Knox County Senior Summit. Commissioner Stephens seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Hammond, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills, Clark and Pinkston voted aye. The motion carried 19-0-0-0.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE
COMMISSION OF KNOX COUNTY, TENNESSEE, APPROVING A
GRANT AGREEMENT BETWEEN THE STATE OF TENNESSEE,
TENNESSEE ARTS COMMISSION AND KNOX COUNTY
GOVERNMENT - R-04-11-901: (Book 20/Page 18 & 19)

Consideration of a resolution of the Commission of Knox County, Tennessee, approving a grant agreement between the State of Tennessee, Tennessee Arts Commission and Knox County Government was before the Board of Commissioners.

Commissioner Horner moved to approve Resolution R-04-11-901 - Resolution of the Commission of Knox County, Tennessee, approving a grant agreement between the State of Tennessee, Tennessee Arts Commission and Knox County Government. Commissioner Stephens seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Hammond, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills, Clark and Pinkston voted aye. The motion carried 19-0-0-0.

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

(Book 20/Page 19)

8. Commissioner Moore amended the agenda to hear the following items at this time: Resolutions R-04-11-102, R-04-11-103, R-04-11-104, R-04-11-105, R-04-11-106, R-04-11-107, R-04-11-108, R-04-11-109 and R-04-11-110.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, HONORING ALBERT BAAH FOR HIS SERVICE TO KNOX COUNTY AS A

MEMBER OF THE GOVERNMENT EFFICIENCY PANEL –

R-04-11-102: (Book 20/Page 19 & 20)

Consideration of a resolution of the Commission of Knox County, Tennessee, honoring Albert Baah for his service to Knox County as a member of the Government Efficiency Panel was before the Board of Commissioners.

Commissioner Leuthold moved to approve Resolution R-04-11-102 - Resolution of the Commission of Knox County, Tennessee, honoring Albert Baah for his service to Knox County as a member of the Government Efficiency Panel. Commissioner Hammond seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Hammond, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills, Clark and Pinkston voted aye. The motion carried 19-0-0-0.

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**IN RE: CONSIDERATION OF A RESOLUTION OF THE
COMMISSION OF KNOX COUNTY, TENNESSEE, HONORING TOM
JENSEN FOR HIS SERVICE TO KNOX COUNTY AS A MEMBER OF
THE GOVERNMENT EFFICIENCY PANEL - R-04-11-103: (Book
20/Page 20)**

Consideration of a resolution of the Commission of Knox County, Tennessee, honoring Tom Jensen for his service to Knox County as a member of the Government Efficiency Panel was before the Board of Commissioners.

Commissioner Leuthold moved to approve Resolution R-04-11-103 - Resolution of the Commission of Knox County, Tennessee, honoring Tom Jensen for his service to Knox County as a member of the Government Efficiency Panel. Commissioner Hammond seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Hammond, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills, Clark and Pinkston voted aye. The motion carried 19-0-0-0.

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**IN RE: CONSIDERATION OF A RESOLUTION OF THE
COMMISSION OF KNOX COUNTY, TENNESSEE, HONORING
DANNI VARLAN FOR HER SERVICE TO KNOX COUNTY AS A
MEMBER OF THE GOVERNMENT EFFICIENCY PANEL –
R-04-11-104: (Book 20/Page 21)**

Consideration of a resolution of the Commission of Knox County, Tennessee, honoring Danni Varlan for her service to Knox County

as a member of the Government Efficiency Panel was before the Board of Commissioners.

Commissioner Leuthold moved to approve Resolution R-04-11-104 - Resolution of the Commission of Knox County, Tennessee, honoring Danni Varlan for her service to Knox County as a member of the Government Efficiency Panel. Commissioner Hammond seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Hammond, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills, Clark and Pinkston voted aye. The motion carried 19-0-0-0.

Ms. Varlan was present to accept the resolution and expressed appreciation to the commission for the resolution.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE
COMMISSION OF KNOX COUNTY, TENNESSEE, HONORING
REESE THOMAS FOR HIS SERVICE TO KNOX COUNTY AS A
MEMBER OF THE GOVERNMENT EFFICIENCY PANEL –
R-04-11-105: (Book 20/Page 22)

Consideration of a resolution of the Commission of Knox County, Tennessee, honoring Reese Thomas for his service to Knox County as a member of the Government Efficiency Panel was before the Board of Commissioners.

Commissioner Leuthold moved to approve Resolution R-04-11-105 - Resolution of the Commission of Knox County, Tennessee, honoring Reese Thomas for his service to Knox County as a member of the Government Efficiency Panel. Commissioner Hammond seconded the

motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Hammond, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills, Clark and Pinkston voted aye. The motion carried 19-0-0-0.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE
COMMISSION OF KNOX COUNTY, TENNESSEE, HONORING BOB
HILL FOR HIS SERVICE TO KNOX COUNTY AS A MEMBER OF
THE GOVERNMENT EFFICIENCY PANEL - R-04-11-106: (Book
20/Page 22)

Consideration of a resolution of the Commission of Knox County, Tennessee, honoring Bob Hill for his service to Knox County as a member of the Government Efficiency Panel was before the Board of Commissioners.

Commissioner Leuthold moved to approve Resolution R-04-11-106 - Resolution of the Commission of Knox County, Tennessee, honoring Bob Hill for his service to Knox County as a member of the Government Efficiency Panel. Commissioner Hammond seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Hammond, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills, Clark and Pinkston voted aye. The motion carried 19-0-0-0.

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

**STEVEN FRITTS FOR HIS SERVICE TO KNOX COUNTY AS A
MEMBER OF THE GOVERNMENT EFFICIENCY PANEL –**

R-04-11-107: (Book 20/Page 23)

Consideration of a resolution of the Commission of Knox County, Tennessee, honoring Steven Fritts for his service to Knox County as a member of the Government Efficiency Panel was before the Board of Commissioners.

Commissioner Leuthold moved to approve Resolution R-04-11-107 - Resolution of the Commission of Knox County, Tennessee, honoring Steven Fritts for his service to Knox County as a member of the Government Efficiency Panel. Commissioner Hammond seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Hammond, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills, Clark and Pinkston voted aye. The motion carried 19-0-0-0.

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**IN RE: CONSIDERATION OF A RESOLUTION OF THE
COMMISSION OF KNOX COUNTY, TENNESSEE, HONORING
MARVIN HAMMOND FOR HIS SERVICE TO KNOX COUNTY AS A
MEMBER OF THE GOVERNMENT EFFICIENCY PANEL –**

R-04-11-108: (Book 20/Page 24)

Consideration of a resolution of the Commission of Knox County, Tennessee, honoring Marvin Hammond for his service to Knox County as a member of the Government Efficiency Panel was before the Board of Commissioners.

Commissioner Leuthold moved to approve Resolution

R-04-11-108 - Resolution of the Commission of Knox County, Tennessee, honoring Marvin Hammond for his service to Knox County as a member of the Government Efficiency Panel. Commissioner Hammond seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Hammond, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills, Clark and Pinkston voted aye. The motion carried 19-0-0-0.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE
COMMISSION OF KNOX COUNTY, TENNESSEE, HONORING JOHN
VALLIANT FOR HIS SERVICE TO KNOX COUNTY AS A MEMBER
OF THE GOVERNMENT EFFICIENCY PANEL - R-04-11-109: (Book
20/Page 24)

Consideration of a resolution of the Commission of Knox County, Tennessee, honoring John Valliant for his service to Knox County as a member of the Government Efficiency Panel was before the Board of Commissioners.

Commissioner Leuthold moved to approve Resolution R-04-11-109 - Resolution of the Commission of Knox County, Tennessee, honoring John Valliant for his service to Knox County as a member of the Government Efficiency Panel. Commissioner Hammond seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Hammond, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills, Clark and Pinkston voted aye. The motion carried 19-0-0-0.

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**IN RE: CONSIDERATION OF A RESOLUTION OF THE
COMMISSION OF KNOX COUNTY, TENNESSEE, HONORING
BRUCE WALKER FOR HIS SERVICE TO KNOX COUNTY AS A
MEMBER OF THE GOVERNMENT EFFICIENCY PANEL –
R-04-11-110: (Book 20/Page 25)**

Consideration of a resolution of the Commission of Knox County, Tennessee, honoring Bruce Walker for his service to Knox County as a member of the Government Efficiency Panel was before the Board of Commissioners.

Commissioner Leuthold moved to approve Resolution R-04-11-110 - Resolution of the Commission of Knox County, Tennessee, honoring Bruce Walker for his service to Knox County as a member of the Government Efficiency Panel. Commissioner Hammond seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Hammond, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills, Clark and Pinkston voted aye. The motion carried 19-0-0-0.

Dr. Walker was present to accept the resolution and expressed appreciation to the commission for the resolution.

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**RE: DISCUSSION OF A FIRE THAT OCCURRED IN THE POWELL
COMMUNITY ON SUNDAY, NOVEMBER 14, 2004: (Book 20/Page 26)**

Discussion of a fire that occurred in the Powell Community on Sunday, November 14, 2004 was before the Board of Commissioners.

Mr. Jeff Lane, area resident, was present and spoke on the matter.

Mr. Scott Pinkston, E-911, was present and spoke on the matter.

Mr. Carl Keierleber, Fire Chief for Rural Metro, was present and spoke on the matter.

Mr. Dwight VandeVate, Senior Director of Communications and Government Relations for Knox County, was present and spoke on the matter.

No action was taken.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, APPROVING A MEMORANDUM OF UNDERSTANDING BETWEEN THE KNOX COUNTY BOARD OF EDUCATION AND KNOX COUNTY, TENNESSEE - R-04-11-801: (Book 20/Page 26-28)

Consideration of a resolution of the Commission of Knox County, Tennessee, approving a Memorandum of Understanding between the Knox County Board of Education and Knox County, Tennessee was before the Board of Commissioners.

Mr. Dan Murphy, Knox County School Board Chairman, Mr. Mike Moyers, Knox County Law Director, Mr. Mike Ragsdale, Knox County Mayor, Ms. Diane Jablonski, Farragut resident, and Ms. Kim Casmere, Farragut resident, were present and spoke on the matter.

Commissioner Leuthold moved to approve Resolution R-04-11-801 - Resolution of the Commission of Knox County, Tennessee, approving a Memorandum of Understanding between the Knox County

Board of Education and Knox County, Tennessee. Commissioner

Hammond seconded the motion.

Commissioner Collins moved as an amendment to revise the memorandum of understanding between Knox County Board of Education and Knox County, Tennessee as follows: Under the section which reads “Board agrees to”, delete Item #4 and add a paragraph to read as follows: “Before December 20, 2004, adopt a revised Capital Plan which addresses the impact of construction of a new Knox County High School on currently proposed school capital projects. This revised Capital Plan shall be adopted by the Board of Education and approved by the County Commission prior to any further steps toward construction of the new high school being undertaken.” Commissioner Horner seconded the motion and upon roll call vote Commissioners Pinkston, Clark, Mills, McMillan, Horner, Stephens, Cawood, Griess, Guthe, Moody, Tindell, Collins, Strickland and Jordan voted aye. Commissioner Moore, Leuthold, Hammond, Schmid and Harmon vote no. The amendment carried 14-5-0-0.

Upon roll call vote of the original motion to approve Resolution R-04-11-801 - Resolution of the Commission of Knox County, Tennessee, approving a Memorandum of Understanding between the Knox County Board of Education and Knox County, Tennessee with the following amendment: Under the section which reads “Board agrees to”, delete Item #4 and add a paragraph to read as follows: “Before December 20, 2004, adopt a revised Capital Plan which addresses the impact of construction of a new Knox County High School on currently proposed school capital projects. This revised Capital Plan shall be adopted by the Board of Education and approved by the County Commission prior to any further

steps toward construction of the new high school being undertaken”,
Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon,
Guthe, Schmid, Hammond, Leuthold, Griess, Cawood, Stephens, Horner,
Moore, McMillan, Mills, Clark and Pinkston voted aye. The motion carried
19-0-0-0.

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IN RE: AMENDMENTS TO THE AGENDA – (CONTINUED):
(Book 20/Page 28)

9. Commissioner Moore amended the agenda to add the
following item to be heard at this time: Report from the Government
Efficiency Panel.

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IN RE: REPORT FROM THE GOVERNMENT EFFICIENCY
PANEL: (Book 20/Page 28)

Report from the Government Efficiency Panel was before the
Board of Commissioners.

Dr. Bruce Walker and Ms. Danni Varlan, members of the
Government Efficiency Panel, were present and gave the report.

Mr. John Werner, Knox County Finance Director, Mr. Mike
Ragsdale, Knox County Mayor, and Mr. Mike Moyers, Knox County Law
Director, were present and spoke on the matter.

No action was taken.

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A five minute recess was taken at this time and Commissioner Moore
indicated zonings would begin upon reconvening.

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IN RE: ROLL CALL – (4:35 P.M.): (Book 20/Page 29)

Mrs. Angie Nesbitt, Minutes Clerk to the Knox County Clerk, called the roll. Those Commissioners responding were Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Hammond, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills, Clark and Pinkston.

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

(Book 20/Page 29)

10. Commissioner Moore amended the agenda to defer the following item to the January 2005 Board of Commissioners meeting:
Zoning Request 10-E-04-SP - Request of Landmark Properties for a South County Sector Plan Amendment from LDR Low Density Residential Zone to MDR Medium Density Residential Zone, property located on the south side of Sevierville Pike, northwest side of East Governor John Sevier Highway, Ninth Commission District.

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IN RE: ZONING REQUESTS: (Book 20/Page 30-40)

1. Consideration of the request of Neal Caldwell for street name change from Blair Lane to Dalen Lane was before the Board of Commissioners. Street located between Gilbert Drive and deadend. Fifth Commission District. **(Book 20/Page 30)**

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

Commissioner Mills moved to approve zoning request

10-A-04-SNC – Request of Neal Caldwell for street name change from Blair Lane to Dalen Lane as per MPC’s recommendation. Commissioner Griess seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Hammond, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills, Clark and Pinkston voted aye. The motion carried 19-0-0-0. Street located between Gilbert Drive and deadend. Fifth Commission District.

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2. Consideration of the request of E-911 for street name change from Mullins Lane to Scenic Meadow Way was before the Board of Commissioners. Street located between Childress Road and intersection of Mullins Lane and Scenic Meadow Way. Seventh Commission District.

(Book 20/Page 30 & 31)

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

Commissioner Mills moved to approve zoning request 10-B-0-SNC – Request of E-911 for street name change from Mullins Lane to Scenic Meadow Way as per MPC’s recommendation. Commissioner Griess seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Hammond, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills, Clark and Pinkston voted aye. The motion carried 19-0-0-0. Street located between Childress Road and intersection of Mullins Lane and Scenic Meadow Way. Seventh Commission District.

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3. Consideration of the request of E-911 street name change from Maples Road to Maples Crossing Road was before the Board of Commissioners. Street located between Midway Road and Maples Road. Eighth Commission District. (*Book 20/31*)

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

Commissioner Mills moved to approve zoning request 10-C-04-SNC – Request of E-911 street name change from Maples Road to Maples Crossing Road as per MPC’s recommendation. Commissioner Griess seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Hammond, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills, Clark and Pinkston voted aye. The motion carried 19-0-0-0. Street located between Midway Road and Maples Road. Eighth Commission District.

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4. Consideration of the request of Bob Burriss for rezoning from A Agricultural Zone to PR Planned Residential Zone was before the Board of Commissioners. Property located on the west side of Pelleaux Road, north of Western Road. Seventh Commission District. (*Book 20/Page 32*)

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

Commissioner Mills moved to approve zoning request 9-H-04-RZ – Request of Bob Burriss for rezoning from A Agricultural Zone to PR Planned Residential Zone at a density of 1 to 2 dwelling units per acre as per MPC’s recommendation. Commissioner Griess seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell,

Moody, Harmon, Guthe, Schmid, Hammond, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills, Clark and Pinkston voted aye. The motion carried 19-0-0-0. Property located on the west side of Pelleaux Road, north of Western Road. Seventh Commission District.

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5. Consideration of the request of Harry W. Koogler for rezoning from A Agricultural Zone to PR Planned Residential Zone was before the Board of Commissioners. (*Book 20/Page 32*)

This item was deferred to the December 2004 Board of Commissioners meeting. (See Amendments to the Agenda, Page 2)

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6. Consideration of the request of Vance Burkey for rezoning from A Agricultural Zone to PR Planned Residential Zone was before the Board of Commissioners. Property located on the north side of Davis Lane, southeast of Nubbin Ridge Road. Fourth Commission District. (*Book 20/Page 32-33*)

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

Commissioner Mills moved to approve zoning request 10-I-04-RZ – Request of Vance Burkey for rezoning from A Agricultural Zone to PR Planned Residential Zone at a density of 1 to 3.4 dwelling units per acre as per MPC’s recommendation. Commissioner Griess seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Hammond, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills, Clark and Pinkston voted aye. The motion carried 19-0-0-0. Property located on the north side

of Davis Lane, southeast of Nubbin Ridge Road. Fourth Commission District.

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7. Consideration of the request of Fortress Corporation for Southwest County Sector Plan Amendment from O Office and LDR Low Density Residential Zone to C Commercial Zone was before the Board of Commissioners. Property located on the west side of Pellissippi Parkway, south of Kingston Pike. Fifth Commission District. (*Book 20/Page 33 & 34*)

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

Commissioner Mills moved to approve zoning request 10-D-04-SP – Request of Fortress Corporation for Southwest County Sector Plan Amendment from O Office and LDR Low Density Residential Zone to O Office for the entire parcel 1.07 as per MPC’s recommendation. Commissioner Griess seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Hammond, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills, Clark and Pinkston voted aye. The motion carried 19-0-0-0. Property located on the west side of Pellissippi Parkway, south of Kingston Pike. Fifth Commission District.

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8. Consideration of the request of Fortress Corporation for rezoning from PR Planned Residential Zone to PC Planned Commercial was before the Board of Commissioners. Property located on the west side of

Pellissippi Parkway, south of Kingston Pike. Fifth Commission District.

(Book 20/Page 34)

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

Commissioner Mills moved to approve zoning request 10-J-04-RZ – Request of Fortress Corporation for rezoning from PR Planned Residential Zone to PC Planned Commercial as per MPC’s recommendation. Commissioner Griess seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Hammond, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills, Clark and Pinkston voted aye. The motion carried 19-0-0-0. Property located on the west side of Pellissippi Parkway, south of Kingston Pike. Fifth Commission District.

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9. Consideration of the request of Fred Long Construction for rezoning from A Agricultural Zone to PR Planned Residential Zone was before the Board of Commissioners. *(Book 20/Page 34)*

This item was heard later on the day’s agenda. (See Page 42)

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10. Consideration of the request of Lee Gentry for rezoning from A Agricultural Zone to CA General Business Zone was before the Board of Commissioners. Property located on the south side of Asheville Highway, east of South Wooddale Road. Eighth Commission District.

(Book 20/Page 35)

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

Commissioner Mills moved to approve zoning request 10-M-04-RZ – Request of Lee Gentry for rezoning from A Agricultural Zone to CA General Business Zone as per MPC’s recommendation. Commissioner Griess seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Hammond, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills, Clark and Pinkston voted aye. The motion carried 19-0-0-0. Property located on the south side of Asheville Highway, east of South Wooddale Road. Eighth Commission District.

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11. Consideration of the request of William E. Lindsey for rezoning from A Agricultural Zone to OB Office, Medical and Related Services Zone was before the Board of Commissioners. Property located on the northwest side of Kingston Pike, southwest of Cogdill Road. Fifth Commission District. *(Book 20/Page 35 & 36)*

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

Commissioner Mills moved to approve zoning request 10-N-04-RZ – Request of William E. Lindsey for rezoning from A Agricultural Zone to OB Office, Medical and Related Services Zone as per MPC’s recommendation. Commissioner Griess seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell,

Moody, Harmon, Guthe, Schmid, Hammond, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills, Clark and Pinkston voted aye. The motion carried 19-0-0-0. Property located on the northwest side of Kingston Pike, southwest of Cogdill Road. Fifth Commission District.

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12. Consideration of the request of Clarence E. Bayless, Jr. for rezoning from A Agricultural and F Floodway Zone to CA General Business and F Floodway Zone was before the Board of Commissioners. Property located on the north side of East Emory Road, east of Maynardville Pike. Seventh Commission District. (*Book 20/Page 36 & 37*)

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

Commissioner Mills moved to approve zoning request 10-P-04-RZ – Request of Clarence E. Bayless, Jr. for rezoning from A Agricultural and F Floodway Zone to CA General Business and F Floodway Zone as per MPC’s recommendation. Commissioner Griess seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Hammond, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills, Clark and Pinkston voted aye. The motion carried 19-0-0-0. Property located on the north side of East Emory Road, east of Maynardville Pike. Seventh Commission District.

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13. Consideration of the request of Clarence E. Bayless, Jr. for rezoning from A Agricultural Zone to PR Planned Residential Zone was before the Board of Commissioners. Property located on the north side of

Andersonville Pike, west side of Griffith Road. Seventh Commission District. (*Book 20/Page 37*)

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

Commissioner Mills moved to approve zoning request 10-Q-04-RZ – Request of Clarence E. Bayless, Jr. for rezoning from A Agricultural Zone to PR Planned Residential Zone at a density of 1 to 5 dwelling units per acre as per MPC’s recommendation. Commissioner Griess seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Hammond, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills, Clark and Pinkston voted aye. The motion carried 19-0-0-0. Property located on the north side of Andersonville Pike, west side of Griffith Road. Seventh Commission District.

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14. Consideration of the request of Stephen Eagleton/Eagle Realty, LLC for rezoning from PR Planned Residential Zone to RA Low Density Residential Zone was before the Board of Commissioners. Property located on the southeast side of Log Haven Road, northeast side of Candora Road. Ninth Commission District. (*Book 20/Page 37 & 38*)

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

Commissioner Mills moved to approve zoning request 10-S-04-RZ-CO – Request of Stephen Eagleton/Eagle Realty, LLC for rezoning from PR Planned Residential Zone to RA Low Density Residential Zone as per MPC’s recommendation. Commissioner Griess seconded the

motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Hammond, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills, Clark and Pinkston voted aye. The motion carried 19-0-0-0. Property located on the southeast side of Log Haven Road, northeast side of Candora Road. Ninth Commission District.

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15. Consideration of the request of Landmark Properties for a South County Sector Plan Amendment from LDR Low Density Residential Zone to MDR Medium Density Residential Zone was before the Board of Commissioners. (*Book 20/Page 38*)

This item was deferred to the January 2005 Board of Commissioners meeting. (See Amendments to the Agenda, Page 29)

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16. Consideration of the request of Landmark Properties for rezoning from CA General Business Zone to PR Planned Residential Zone was before the Board of Commissioners. Property located on the south side of Sevierville Pike, northwest side of East Governor John Sevier Highway. Ninth Commission District. (*Book 20/Page 38-39*)

Commissioner Moore deferred this item to the January 2005 Board of Commissioners meeting.

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17. Consideration of the request of Victor Jernigan for rezoning from A Agricultural Zone to PR Planned Residential Zone was before the Board of Commissioners. Property located on the southeast side

of Ball Camp Pike, northeast side of Bakertown Road. Third Commission District. (*Book 20/Page 38 & 39*)

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

Commissioner Mills moved to approve zoning request 10-X-04-RZ – Request of Victor Jernigan for rezoning from A Agricultural Zone to PR Planned Residential Zone at a density of 1 to 4 dwelling units per acre as per MPC’s recommendation. Commissioner Griess seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Hammond, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills, Clark and Pinkston voted aye. The motion carried 19-0-0-0. Property located on the southeast side of Ball Camp Pike, northeast side of Bakertown Road. Third Commission District.

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18. Consideration of the request of Double R Development, LLC for rezoning from A Agricultural Zone to PR Planned Residential Zone was before the Board of Commissioners. (*Book 20/Page 39*)

This item was heard later on the day’s agenda. (See Page 42)

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19. Consideration of the request of Homeplace Apartments L.P. for a North County Sector Plan Amendment from STPA (Stream Protection Area) and LDR Low Density Residential Zone to MDR Medium Density Residential Zone was before the Board of Commissioners. Property

located on the northwest side of West Beaver Creek Drive, southwest of Central Avenue Pike. Sixth Commission District. ***(Book 20/Page 40)***

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

Commissioner Mills moved to approve zoning request 10-A-04-SP – Request of Homeplace Apartments L.P. for a North County Sector Plan Amendment from STPA (Stream Protection Area) and LDR Low Density Residential Zone to MDR Medium Density Residential Zone as per MPC’s recommendation. Commissioner Griess seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Hammond, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills, Clark and Pinkston voted aye. The motion carried 19-0-0-0. Property located on the northwest side of West Beaver Creek Drive, southwest of Central Avenue Pike. Sixth Commission District.

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IN RE: AMENDMENTS TO THE AGENDA – (CONTINUED):
(Book 20/Page 40)

11. Without objection, Commissioner Moore amended the agenda to hear the following item at this time: Rezoning Appeal 9-A-04-SP Appeal by Jason Crippen of MPC’s denial of North County Sector Plan Amendment from A/RR Agricultural/Rural Residential Zone to C Commercial Zone.

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IN RE: REZONING APPEALS: ***(Book 20/Page 41)***

1. Consideration of the appeal by Jason Crippen of MPC's denial of North County Sector Plan Amendment from A/RR Agricultural/Rural Residential Zone to C Commercial Zone was before the Board of Commissioners. Property located on the south side of Ellis Lane, east side of Andersonville Pike. Eighth Commission District. (**Book 20/Page 41**)

Mr. Ewing "Buzz" Johnson, Director of Development Services for Metropolitan Planning Commission, was present and spoke on the matter.

Mr. Billy Stokes, Attorney, and Mr. Jason Crippen, appellant, were present and spoke on behalf of the request.

Ms. Tere McDonough, Mr. K.O. Hurston, and Mr. Mark Carr, area residents, were present and spoke in opposition to the appeal.

Commissioner Mills moved to approve rezoning appeal 9-A-04-SP – Appeal by Jason Crippen of MPC's denial of North County Sector Plan Amendment from A/RR Agricultural/Rural Residential Zone to C Commercial Zone as per MPC staff recommendation. Commissioner McMillan seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Hammond, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills, Clark and Pinkston voted aye. The motion carried 19-0-0-0. Property located on the south side of Ellis Lane, east side of Andersonville Pike. Eighth Commission District.

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IN RE: ZONING REQUESTS – (CONTINUED): (Book 20/Page 42)

20. Consideration of the request of Fred Long Construction for rezoning from A Agricultural Zone to PR Planned Residential Zone was before the Board of Commissioners. Property located on the northwest side of Snyder Road, southwest of Lovell Road. Fifth Commission District.
(Book 20/Page 42)

Mr. Ewing “Buzz” Johnson, Director of Development Services for Metropolitan Planning Commission, was present and spoke on the matter.

Mr. Bobby Letsinger, area resident, was present and spoke in opposition to the request.

Commissioner Griess moved to approve zoning request 10-L-04-RZ – Request of Fred Long Construction for rezoning from A Agricultural Zone to PR Planned Residential Zone at 1 to 2 dwelling units per acre. Commissioner Moody seconded the motion and upon roll call vote Commissioners Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Griess and Moore voted aye. Commissioners Jordan, Hammond, Leuthold, Cawood, Stephens, Horner, McMillan, Mills, Clark and Pinkston voted no. The motion failed 9-10-0-0.

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21. Consideration of the request of Double R Development, LLC for rezoning from A Agricultural Zone to PR Planned Residential Zone was before the Board of Commissioners. Property located on the north side of Pleasant Ridge Road, northwest of Murray Road. Sixth Commission District. *(Book 20/Page 42)*

Mr. Ewing “Buzz” Johnson, Director of Development Services for Metropolitan Planning Commission, was present and spoke on the matter.

Mr. John Buckingham, representing the developer, was present and spoke on the matter.

Mr. Danny Harbin, Batson Himes Norvell & Poe, was present and spoke on the matter.

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

Commissioner Cawood moved to approve zoning request 10-CC-04-RZ – Request of Double R Development, LLC for rezoning from A Agricultural Zone to PR Planned Residential Zone at a density of 1 to 3 dwelling units per acre as per MPC’s recommendation. Commissioner Stephens seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Hammond, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills, Clark and Pinkston voted aye. The motion carried 19-0-0-0. Property located on the north side of Pleasant Ridge Road, northwest of Murray Road. Sixth Commission District.

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IN RE: EDUCATION CONSENT CALENDAR – (CONTINUED):
(Book 20/Page 43)

IN RE: CONSIDERATION OF A RESOLUTION OF THE
COMMISSION OF KNOX COUNTY, TENNESSEE, APPROPRIATING
\$3,000,000.00 FOR THE DESIGN AND CONSTRUCTION OF THE

ADDITIONS/RENOVATIONS TO KARNS HIGH SCHOOL AND

APPROVING A CONTRACT WITH DESIGN INNOVATIONS

ARCHITECTS – R-04-11-204: (Book 20/Page 43 & 44)

Consideration of a resolution of the Commission of Knox County, Tennessee, appropriating \$3,000,000.00 for the design and construction of the additions/renovations to Karns High School and approving a contract with Design Innovations Architects was before the Board of Commissioners.

Mr. Doug Whitted, Facilities Manager for Knox County Schools, Ms. Tamera Shephard, concerned citizen, Ms. Delores Yoder, concerned citizen, Ms. Gina Oster, concerned citizen, and Mr. John Werner, Knox County Finance Director, were present and spoke on the matter.

Commissioner Cawood moved to approve Resolution R-04-11-204 – Resolution of the Commission of Knox County, Tennessee, appropriating \$3,000,000.00 for the design and construction of the additions/renovations to Karns High School and approving a contract with Design Innovations Architects. Commissioner Horner seconded the motion.

Commissioner Griess moved as a substitute motion to defer to the December 2004 Board of Commissioners meeting Resolution R-04-11-204 - Resolution of the Commission of Knox County, Tennessee, appropriating \$3,000,000.00 for the design and construction of the additions/renovations to Karns High School and approving a contract with Design Innovations Architects. Commissioner Clark seconded the motion and upon roll call vote Commissioners Collins, Guthe, Griess, Horner, McMillan, Mills, Clark and Pinkston voted aye. Commissioners Jordan, Strickland, Tindell, Moody, Harmon, Schmid, Hammond, Leuthold,

Cawood, Stephens and Moore voted no. The substitute motion failed
8-11-0-0.

Upon roll call vote of the original motion to approve Resolution
R-04-11-204 - Resolution of the Commission of Knox County, Tennessee,
appropriating \$3,000,000.00 for the design and construction of the
additions/renovations to Karns High School and approving a contract with
Design Innovations Architects, Commissioners Jordan, Strickland, Collins,
Moody, Harmon, Guthe, Schmid, Hammond, Leuthold, Griess, Cawood,
Stephens, Moore and Mills voted aye. Commissioners Tindell, Horner,
McMillan, Clark and Pinkston voted no. The motion carried 14-5-0-0.

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IN RE: APPROVAL OF MINUTES OF THE PREVIOUS

MEETING: (Book 20/Page 45)

Consideration of approval of minutes of the previous meeting
was before the Board of Commissioners.

Commissioner Griess moved to approve the minutes of the
previous meeting. Commissioner Leuthold seconded the motion and upon
roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody,
Harmon, Guthe, Schmid, Hammond, Leuthold, Griess, Cawood, Stephens,
Horner, Moore, McMillan, Mills, Clark and Pinkston voted aye. The motion
carried 19-0-0-0.

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IN RE: ELECTIONS AND APPOINTMENTS: (Book 20/Page 45)

IN RE: CONSIDERATION OF A RESOLUTION OF THE
COMMISSION OF KNOX COUNTY, TENNESSEE, APPROVING THE
RE-APPOINTMENT OF SUZANNE SHELTON TO THE KNOX
COUNTY DEVELOPMENT CORPORATION BOARD –
R-04-11-111: (Book 20/Page 45 & 46)

Consideration of a resolution of the Commission of Knox County, Tennessee, approving the re-appointment of Suzanne Shelton to the Knox County Development Corporation Board was before the Board of Commissioners.

Commissioner Griess moved to approve Resolution R-04-11-111 - Resolution of the Commission of Knox County, Tennessee, approving the re-appointment of Suzanne Shelton to the Knox County Development Corporation Board. Commissioner Cawood seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Hammond, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills, Clark and Pinkston voted aye. The motion carried 19-0-0-0.

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IN RE: DRIVES AND ROADS: (Book 20/Page 46)

IN RE: CONSIDERATION OF CLOSURE OF A PORTION OF
SHANNON VALLEY DRIVE. PROPERTY LOCATED ON MURPHY
ROAD. SOUTHLAND GROUP, PROPERTY OWNER – (FIRST
READING): (Book 20/Page 46)

Consideration of closure of a portion of Shannon Valley Drive. Property located on Murphy Road was before the Board of Commissioners on first reading. Southland Group, property owner.

Commissioner Horner moved to approve closure of a portion of Shannon Valley Drive on first reading. Commissioner Guthe seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Hammond, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills, Clark and Pinkston voted aye. The motion carried 19-0-0-0. Property located on Murphy Road. Southland Group, property owner.

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IN RE: ACCEPTANCE OF NEW COUNTY ROADS: (Book 20/Page 47)

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

- A. Polte Lane, Madison Ridge Subdivision, District 5.
- B. Fox Landing Lane, Fox Landing Subdivision, District 5.
- C. Rising Mist Lane, Fox Landing Subdivision, District 5.
- D. Andrew's Crossing Lane, Andrew's Crossing Subdivision, District 6.
- E. John Andrew's Lane, Andrew's Crossing Subdivision, District 6.
- F. Chillingsworth Lane, Mendonhall Estates Subdivision, District 7.

Commissioner Tindell moved to approve Items #A, #B, #C and #F of the above acceptance of new county roads. Items #D and #E were exempted. Commissioner Horner seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon,

Guthe, Schmid, Hammond, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills, Clark and Pinkston voted aye. The motion carried 19-0-0-0.

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IN RE: RESOLUTIONS – (CONTINUED): (Book 20/Page 48)

IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, APPROVING THE GAY STREET REDEVELOPMENT AND URBAN RENEWAL, CENTER CITY DEVELOPMENT PROJECT #11 – R-04-11-803: (Book 20/Page 48)

Consideration of a resolution of the Commission of Knox County, Tennessee, approving the Gay Street Redevelopment and Urban Renewal, Center City Development Project #11 was before the Board of Commissioners.

Commissioner Tindell moved to defer to the December 2004 Board of Commissioners meeting R-04-11-803 - Resolution of the Commission of Knox County, Tennessee, approving the Gay Street Redevelopment and Urban Renewal, Center City Development Project #11. Commissioner Horner seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Hammond, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills, Clark and Pinkston voted aye. The motion carried 19-0-0-0.

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**IN RE: CONSIDERATION OF A RESOLUTION OF THE
COMMISSION OF KNOX COUNTY, TENNESSEE, APPROVING A
LEASE FOR THE SONS OF THE REVOLUTION FOR SPACE IN THE
EAST TENNESSEE HISTORICAL CENTER - R-04-11-902: (Book
20/Page 48)**

Consideration of a resolution of the Commission of Knox County, Tennessee, approving a lease for the Sons of the Revolution for space in the East Tennessee Historical Center was before the Board of Commissioners.

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

Commissioner Tindell moved to approve Resolution R-04-11-902 - Resolution of the Commission of Knox County, Tennessee, approving a lease for the Sons of the Revolution for space in the East Tennessee Historical Center. Commissioner Horner seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Hammond, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills, Clark and Pinkston voted aye. The motion carried 19-0-0-0.

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**IN RE: CONSIDERATION OF A RESOLUTION OF THE
COMMISSION OF KNOX COUNTY, TENNESSEE, REQUESTING
THAT THE KNOX COUNTY MAYOR REVIEW AND ENSURE THE
SATISFACTION OF THE CONDITIONS PRECEDENT SET FORTH
IN RESOLUTION #03-5-807 PRIOR TO THE TRANSFER OR SALE**

OF THE FARMER'S MARKET PROPERTY - R-04-11-903: (Book 20/Page 49)

Consideration of a resolution of the Commission of Knox County, Tennessee, requesting that the Knox County Mayor Review and ensure the satisfaction of the conditions precedent set forth in Resolution #03-5-807 prior to the transfer or sale of the Farmer's Market Property was before the Board of Commissioners.

Mr. Mike Arms, Chief of Staff for the Knox County Mayor, and Mr. Dwight VanDeVate, Senior Director of Communications and Government Relations for Knox County, were present and spoke on the matter.

Commissioner Horner moved to withdraw from the agenda Resolution R-04-11-903 - Resolution of the Commission of Knox County, Tennessee, requesting that the Knox County Mayor Review and ensure the satisfaction of the conditions precedent set forth in Resolution #03-5-807 prior to the transfer or sale of the Farmer's Market Property. Commissioner Cawood seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Hammond, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills, Clark and Pinkston voted aye. The motion carried 19-0-0-0.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE
COMMISSION OF KNOX COUNTY, TENNESSEE, REQUESTING
THAT PBA ALLOW TWO HOURS OF FREE PARKING IN THE
DWIGHT KESSEL GARAGE - R-04-11-904: (Book 20/Page 50)

Consideration of a resolution of the Commission of Knox County, Tennessee, requesting that PBA allow two hours of free parking in the Dwight Kessel garage was before the Board of Commissioners.

Commissioner Moore moved to approve Resolution R-04-11-904 - Resolution of the Commission of Knox County, Tennessee, requesting that PBA allow two hours of free parking in the Dwight Kessel garage. The motion was seconded.

Commissioner Griess moved as a substitute motion to withdraw from the agenda Resolution R-04-11-904 - Resolution of the Commission of Knox County, Tennessee, requesting that PBA allow two hours of free parking in the Dwight Kessel garage. Commissioner Horner seconded the motion and upon voice vote the substitute motion carried.

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IN RE: ORDINANCES ON FIRST READING: (Book 20/Page 51)

**IN RE: CONSIDERATION OF AN ORDINANCE OF THE
COMMISSION OF KNOX COUNTY, TENNESSEE, ADOPTING THE
CITY OF KNOXVILLE’S STORMWATER ORDINANCE FOR USE IN
DRAINAGE BASINS THAT DRAIN INTO THE CITY OF KNOXVILLE
O-04-11-101 – (FIRST READING): (Book 20/Page 51)**

Consideration of an Ordinance of the Commission of Knox County, Tennessee, adopting the City of Knoxville’s Stormwater Ordinance for use in Drainage Basins that drain into the City of Knoxville was before the Board of Commissioners on first reading.

Mr. Bruce Wuethrich, Director for Knox County Engineering and Public Works, and Mr. John Owings, Knox County Chief Deputy Law Director, were present and spoke on the matter.

Commissioner Tindell moved to approve Ordinance O-04-11-101 - Ordinance of the Commission of Knox County, Tennessee, adopting the City of Knoxville's Stormwater Ordinance for use in Drainage Basins that drain into the City of Knoxville on first reading. Commissioner Horner seconded the motion.

Commissioner Guthe moved as a substitute motion to defer to the January 2005 Board of Commissioners meeting Ordinance O-04-11-101 Ordinance of the Commission of Knox County, Tennessee, adopting the City of Knoxville's Stormwater Ordinance for use in Drainage Basins that drain into the City of Knoxville on first reading. Commissioner Pinkston seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Hammond, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills, Clark and Pinkston voted aye. The motion carried 19-0-0-0.

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IN RE: CONSIDERATION OF AN ORDINANCE OF THE
COMMISSION OF KNOX COUNTY, TENNESSEE, AMENDING THE
KNOX COUNTY LITTER ORDINANCE – O-04-11-102 – (FIRST
READING): (Book 20/Page 52)

This item was deferred to the December 2004 Board of Commissioners meeting. (See Amendments to the Agenda, Page 3).

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**IN RE: CONSIDERATION OF AN ORDINANCE OF THE
COMMISSION OF KNOX COUNTY, TENNESSEE, AMENDING KNOX
COUNTY CODE SECTION 62-186(A)(2) REGARDING PARKING
WITHIN FIRE OR OTHER DESIGNATED EMERGENCY ACCESS
LANES – O-04-11-103 – (FIRST READING): (Book 20/Page 52)**

This item was deferred to the December 2004 Board of Commissioners meeting. (See Amendments to the Agenda, Page 3).

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IN RE: PUBLIC FORUM: (Book 20/Page 52)

1. Mr. Mike Arms, Chief of Staff for the Knox County Mayor, was present and spoke concerning Utility Districts.

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IN RE: ROLL CALL BY DISTRICTS: (Book 20/Page 53)

Commissioner Moore dispensed with roll call by districts and called for adjournment.

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IN RE: ADJOURNMENT: (Book 20/Page 53)

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

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KNOX COUNTY BOARD OF COMMISSIONERS

SCOTT MOORE, CHAIRMAN

KNOX COUNTY BOARD OF COMMISSIONERS

The Knox County Board of Commissioners met in Regular Session on Monday, December 20, 2004 at 2:00 p.m. in the Main Assembly Room of the City-County Building, Main Avenue. Those members present were Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Hammond, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills, Clark and Pinkston. Also present were Mr. Mike Moyers, Knox County Law Director, Mr. Richard Walls, Knox County Internal Auditor, Mr. Mike Ragsdale, Knox County Mayor, Mr. John Werner, Knox County Finance Director, Mr. Ewing “Buzz” Johnson, Director of Development Services for Metropolitan Planning Commission, Mr. Dave Hill, Executive Director for Metropolitan Planning Commission, and members of the news media.

Commissioner Moore, Chairman, presided.

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

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IN RE: ROLL CALL: (Book 20/Page 54)

Mrs. Martha Beeler, Administrative Assistant to the Knox County Clerk, called the roll.

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IN RE: DEVOTIONAL: (Book 20/Page 54)

Reverend Stephen Roberts, State Coordinator for the Way International of Tennessee, gave the devotional.

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IN RE: PLEDGE OF ALLEGIANCE TO THE FLAG: (Book 20/Page 55)

Commissioner Hammond led the Pledge of Allegiance to the Flag.

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IN RE: AMENDMENTS TO THE AGENDA: (Book 20/Page 55)

1. Commissioner Griess moved to amend the agenda to add the following item to be heard at this time: Resolution R-04-12-907 - Consideration of a resolution of the Commission of Knox County, Tennessee, requesting legislation to allow Knox County to require alcoholic beverage retailers to demand identification from purchasers prior to sales. Commissioner Leuthold seconded the motion and upon voice vote the motion carried 19-0-0-0.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, REQUESTING LEGISLATION TO ALLOW KNOX COUNTY TO REQUIRE ALCOHOLIC BEVERAGE RETAILERS TO DEMAND IDENTIFICATION FROM PURCHASERS PRIOR TO SALES – R-04-12-907: (Book 20/Page 55 & 56)

Consideration of a resolution of the Commission of Knox County, Tennessee, requesting legislation to allow Knox County to require alcoholic beverage retailers to demand identification from purchasers prior to sales was before the Board of Commissioners.

Commissioner Griess moved to approve Resolution

R-04-12-907 - Resolution of the Commission of Knox County, Tennessee, requesting legislation to allow Knox County to require alcoholic beverage retailers to demand identification from purchasers prior to sales.

Commissioner Leuthold seconded the motion and upon roll call vote

Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon,

Guthe, Schmid, Hammond, Leuthold, Griess, Cawood, Stephens, Horner,

Moore, McMillan, Mills, Clark and Pinkston voted aye. The motion carried

19-0-0-0.

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

(Book 20/Page 56-58)

2. Commissioner Moore amended the agenda to add the following items: Resolution R-04-12-107- Consideration of a resolution of the Commission of Knox County, Tennessee, honoring the Fulton High School Falcons for winning their second consecutive State 3A Football Championship; Resolution R-04-12-202 - Consideration of a resolution of the Commission of Knox County, Tennessee, approving an amended Five-Year Capital Improvement Plan for Fiscal Years 2005-2009.

3. Commissioner Moore amended the agenda to add the following item: Resolution R-04-12-108 - Consideration of a resolution of the Commission of Knox County, Tennessee, honoring Fulton High School Falcons football team coach Buck Coatney for being named Coach of the Year.

4. Without objection, Commissioner Moore amended the agenda to defer the following item to the January 2005 Board of Commissioners meeting: Resolution R-04-12-805 - Consideration of a resolution of the Commission of Knox County, Tennessee, approving a Memorandum of Understanding and a transfer of funds between Knox County and The Friends of Literacy. He also amended the agenda to add the following item: Resolution R-04-12-806 - Consideration of a resolution of the Commission of Knox County, Tennessee, approving the appointment of an attorney to represent Knox County in Moody v. Hutchison, Knox Chancery #153315-2.

5. Commissioner Moore amended the agenda to remove the following items from the Consent Calendar to be heard on the Regular Agenda: Resolution R-04-12-801 - Consideration of a resolution of the Commission of Knox County, Tennessee, regarding amendments to property tax incentive program and payments in lieu of taxes in accordance with Tennessee Code Annotated Sections 7-53-101 Et Seq.; and Resolution R-04-12-803 - Consideration of a resolution of the Commission of Knox County, Tennessee, expressing support for the creation of a special taxing district in South Knox County.

6. Without objection, Commissioner Moore amended the agenda to defer the following item to the January 2005 Board of Commissioners meeting: Resolution R-04-12-401 - Consideration of a resolution of the Commission of Knox County, Tennessee, appropriating \$12,500.00 and approving a contract for the purchase of land for relocation of the Gibbs Convenience Center.

7. Commissioner Moore amended the agenda to remove the following item from the Consent Calendar to be heard on the Regular Agenda: Resolution R-04-12-106 - Consideration of a resolution of the Commission of Knox County, Tennessee, honoring the Medic Regional Blood Center.

8. Commissioner Moore amended the agenda to hear Resolution R-04-12-806 after completion of amendments to the agenda.

9. Commissioner Moore amended the agenda to add the following item to be heard after completion of Resolution R-04-12-806: Report from the Government Efficiency Panel.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE
COMMISSION OF KNOX COUNTY, TENNESSEE, APPROVING THE
APPOINTMENT OF AN ATTORNEY TO REPRESENT KNOX
COUNTY IN MOODY V. HUTCHISON, KNOX CHANCERY #153315-2
R-04-12-806: (Book 20/Page 58-60)

Consideration of a resolution of the Commission of Knox County, Tennessee, approving the appointment of an attorney to represent Knox County in Moody v. Hutchison, Knox Chancery #153315-2 was before the Board of Commissioners.

Mr. Mike Ragsdale, Knox County Mayor, Mr. Mike Moyers, Knox County Law Director, Mr. Tim Hutchison, Knox County Sheriff, and Mr. John Werner, Knox County Finance Director, were present and spoke on the matter.

Commissioner Leuthold moved to approve Resolution

R-04-12-806 - Resolution of the Commission of Knox County, Tennessee, approving the appointment of an attorney to represent Knox County in Moody v. Hutchison, Knox Chancery #153315-2 with the following amendment: add language to include approving the appointment of an attorney to represent the Knox County Sheriff and the Knox County Commission. Commissioner Horner seconded the motion.

Commissioner Collins requested to divide the question to vote on each representation individually.

Upon roll call vote of the motion to approve the appointment of an attorney to represent the Knox County Mayor in Moody v. Hutchison, Knox Chancery #153315-2, Commissioners Jordan, Strickland, Collins, Tindell, Harmon, Guthe, Schmid, Hammond, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills, Clark and Pinkston voted aye. Commissioner Moody recused herself from the vote. The motion carried 18-0-1-0.

Upon roll call vote of the motion to approve the appointment of an attorney to represent the Knox County Commission in Moody v. Hutchison, Knox Chancery #153315-2, which will be selected by the Chairman of the Knox County Commission and approved by the Knox County Commission, Commissioners Pinkston, Clark, Mills, McMillan, Moore, Horner, Stephens, Griess, Leuthold, Hammond, Schmid, Guthe, Harmon, Tindell, Collins and Strickland voted aye. Commissioners Cawood and Jordan voted no. Commissioner Moody recused herself from the vote. The motion carried 16-2-1-0.

Commissioner Schmid moved as a substitute motion to approve the appointment of an attorney to represent the Knox County Sheriff in

Moody v. Hutchison, Knox Chancery #153315-2 but that the criminal content repetition be exempted from that. There was no second to the motion. The substitute motion failed due to lack of a second.

Commissioner Collins moved as a substitute motion to defer approving the appointment of an attorney to represent the Knox County Sheriff in Moody v. Hutchison, Knox Chancery #153315-2. Commissioner Schmid seconded the motion and upon roll call vote Commissioners McMillan, Schmid and Collins voted aye. Commissioners Pinkston, Clark, Mills, Moore, Horner, Stephens, Cawood, Griess, Leuthold, Hammond, Guthe, Harmon, Tindell, Strickland and Jordan voted no. Commissioner Moody recused herself from the vote. The substitute motion failed 3-15-1-0.

Upon roll call vote of the motion to approve the appointment of an attorney to represent the Knox County Sheriff in Moody v. Hutchison, Knox Chancery #153315-2, Commissioners Jordan, Strickland, Tindell, Harmon, Guthe, Hammond, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills, Clark and Pinkston voted aye. Commissioner Collins voted no. Commissioners Schmid and Leuthold abstained from voting. Commissioner Moody recused herself from the vote. The motion carried 15-1-3-0.

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

(Book 20/Page 60)

10. Commissioner Moore amended the agenda to remove the following items from the Consent Calendar to be heard at this time:
Resolution R-04-12-101 - Consideration of a resolution of the Commission of Knox County, Tennessee, memorializing David L. Sproul; Resolution

R-04-12-102 - Consideration of a resolution of the Commission of Knox County, Tennessee, honoring Sue Methvin for her service on the Knox County Sheriff's Merit Council; Resolution R-04-12-104 - Consideration of a resolution of the Commission of Knox County, Tennessee, recognizing the Cruze Family, the Seven Islands Foundation, the French Broad Preservation Association, the Natural Resources Conservation Service, Land Trust for Tennessee, the Metropolitan Planning Commission and Nine Counties One Vision for their support of the award winning Cruze Dairy Farm Conservation Easement; Resolution R-04-12-105 - Consideration of a resolution of the Commission of Knox County, Tennessee, recognizing 2005 as the year of the French Broad River and celebrating the 50th Anniversary of the publication of "The French Broad River" by Wilma Dykeman; and Resolution R-04-12-106 - Consideration of a resolution of the Commission of Knox County, Tennessee, honoring the Medic Regional Blood Center; and Report from the Government Efficiency Panel. He also amended the agenda to defer the following items to the January 2005 Board of Commissioners meeting: Resolution R-04-12-107 - Consideration of a resolution of the Commission of Knox County, Tennessee, honoring the Fulton High School Falcons for winning their second consecutive State 3A Football Championship; and Resolution R-04-12-108 - Consideration of a resolution of the Commission of Knox County, Tennessee, honoring Fulton High School Falcons football team coach Buck Coatney for being named Coach of the Year.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE
COMMISSION OF KNOX COUNTY, TENNESSEE, MEMORIALIZING
DAVID L. SPROUL – R-04-12-101: (Book 20/Page 61)

Consideration of a resolution of the Commission of Knox County, Tennessee, memorializing David L. Sproul was before the Board of Commissioners.

Commissioner Mills moved to approve Resolution R-04-12-101 Resolution of the Commission of Knox County, Tennessee, memorializing David L. Sproul. Commissioner Hammond seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Hammond, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills, Clark and Pinkston voted aye. The motion carried 19-0-0-0.

Mrs. Martha Beeler, Administrative Assistant to the Knox County Clerk, read the resolution into the record.

Mr. Mike Ragsdale, Knox County Mayor, and Mr. Roy Braden, Knox County Codes, were present and spoke on the matter.

Mrs. Crystal Sproul, wife, and family members, were present to accept the resolution and expressed appreciation to the commission for the resolution.

Commissioner Moore requested everyone to stand for a moment of silence for the memory of David Sproul.

Commissioner Guthe moved to declare March 15th David L. Sproul Safety Day. All Commissioners seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Hammond, Leuthold, Griess, Cawood, Stephens,

Horner, Moore, McMillan, Mills, Clark and Pinkston voted aye. The motion carried 19-0-0-0.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, HONORING SUE METHVIN FOR HER SERVICE ON THE KNOX COUNTY SHERIFF'S MERIT COUNCIL – R-04-12-102: (Book 20/Page 62 & 63)

Consideration of a resolution of the Commission of Knox County, Tennessee, honoring Sue Methvin for her service on the Knox County Sheriff's Merit Council was before the Board of Commissioners.

Commissioner Horner moved to approve Resolution R-04-12-102 - Resolution of the Commission of Knox County, Tennessee, honoring Sue Methvin for her service on the Knox County Sheriff's Merit Council. Commissioner Moore seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Hammond, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills, Clark and Pinkston voted aye. The motion carried 19-0-0-0.

Mrs. Martha Beeler, Administrative Assistant to the Knox County Clerk, read the resolution into the record.

Ms. Methvin was present to accept the resolution and expressed appreciation to the commission for the resolution.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, RECOGNIZING THE CRUZE FAMILY, THE SEVEN ISLANDS FOUNDATION, THE

**FRENCH BROAD PRESERVATION ASSOCIATION, THE NATURAL
RESOURCES CONSERVATION SERVICE, LAND TRUST FOR
TENNESSEE, THE METROPOLITAN PLANNING COMMISSION
AND NINE COUNTIES ONE VISION FOR THEIR SUPPORT OF THE
AWARD WINNING CRUZE DAIRY FARM CONSERVATION
EASEMENT – R-04-12-104: (Book 20/Page 63 & 64)**

Consideration of a resolution of the Commission of Knox County, Tennessee, recognizing the Cruze Family, the Seven Islands Foundation, the French Broad Preservation Association, the Natural Resources Conservation Service, Land Trust for Tennessee, the Metropolitan Planning Commission and Nine Counties One Vision for their support of the award winning Cruze Dairy Farm Conservation Easement was before the Board of Commissioners.

Commissioner Mills moved to approve Resolution R-04-12-104 Resolution of the Commission of Knox County, Tennessee, recognizing the Cruze Family, the Seven Islands Foundation, the French Broad Preservation Association, the Natural Resources Conservation Service, Land Trust for Tennessee, the Metropolitan Planning Commission and Nine Counties One Vision for their support of the award winning Cruze Dairy Farm Conservation Easement. Commissioner McMillan seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Hammond, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills, Clark and Pinkston voted aye. The motion carried 19-0-0-0.

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

Ms. Colleen Cruze, was present to accept the resolution and expressed appreciation to the commission for the resolution.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, RECOGNIZING 2005 AS THE YEAR OF THE FRENCH BROAD RIVER AND CELEBRATING THE 50TH ANNIVERSARY OF THE PUBLICATION OF “THE FRENCH BROAD RIVER” BY WILMA DYKEMAN – R-04-12-105: (Book 20/Page 65)

Consideration of a resolution of the Commission of Knox County, Tennessee, recognizing 2005 as the year of the French Broad River and celebrating the 50th Anniversary of the publication of “The French Broad River” by Wilma Dykeman was before the Board of Commissioners.

Commissioner Mills moved to approve Resolution R-04-12-105 Resolution of the Commission of Knox County, Tennessee, recognizing 2005 as the year of the French Broad River and celebrating the 50th Anniversary of the publication of “The French Broad River” by Wilma Dykeman. Commissioner McMillan seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Hammond, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills, Clark and Pinkston voted aye. The motion carried 19-0-0-0.

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

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**IN RE: CONSIDERATION OF A RESOLUTION OF THE
COMMISSION OF KNOX COUNTY, TENNESSEE, HONORING THE
MEDIC REGIONAL BLOOD CENTER – R-04-12-106: (Book 20/Page
65)**

Consideration of a resolution of the Commission of Knox County, Tennessee, honoring the Medic Regional Blood Center was before the Board of Commissioners.

Commissioner Tindell moved to approve Resolution R-04-12-106 - Resolution of the Commission of Knox County, Tennessee, honoring the Medic Regional Blood Center. Commissioner Mills seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Hammond, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills, Clark and Pinkston voted aye. The motion carried 19-0-0-0.

Mrs. Martha Beeler, Administrative Assistant to the Knox County Clerk, read the resolution into the record.

Mr. Jim Cundall, Assistant Director for the Medic Regional Blood Center was present to accept the resolution and expressed appreciation to the commission for the resolution.

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IN RE: CONSENT ITEMS: (Book 20/Page 66)

1. Tax Refunds:

No request received.

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2. Notary Public Applications:

174 Notary Public Applications received.

Commissioner Horner moved to approve all Consent Items.

Commissioner Stephens seconded the motion and upon roll call vote
Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon,
Guthe, Schmid, Hammond, Leuthold, Griess, Cawood, Stephens, Horner,
Moore, McMillan, Mills, Clark and Pinkston voted aye. The motion carried
19-0-0-0.

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IN RE: CONSENT CALENDAR: (Book 20/Page 66)

**IN RE: CONSIDERATION OF A RESOLUTION OF THE
COMMISSION OF KNOX COUNTY, TENNESSEE, MEMORIALIZING
DAVID L. SPROUL – R-04-12-101: (Book 20/Page 67)**

This item was heard earlier on the day's agenda. (See Page
61)

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**IN RE: CONSIDERATION OF A RESOLUTION OF THE
COMMISSION OF KNOX COUNTY, TENNESSEE, HONORING SUE
METHVIN FOR HER SERVICE ON THE KNOX COUNTY SHERIFF'S
MERIT COUNCIL – R-04-12-102: (Book 20/Page 67)**

This item was heard earlier on the day's agenda. (See Page
63)

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**IN RE: CONSIDERATION OF A RESOLUTION OF THE
COMMISSION OF KNOX COUNTY, TENNESSEE, HONORING KEEP
KNOXVILLE BEAUTIFUL FOR WINNING A NATIONAL KEEP
AMERICA BEAUTIFUL AWARD – R-04-12-103: (Book 20/Page 67)**

Consideration of a resolution of the Commission of Knox County, Tennessee, honoring Keep Knoxville Beautiful for winning a National Keep America Beautiful Award was before the Board of Commissioners.

Commissioner Mills moved to approve Resolution R-04-12-103 Resolution of the Commission of Knox County, Tennessee, honoring Keep Knoxville Beautiful for winning a National Keep America Beautiful Award. Commissioner Horner seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Hammond, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills, Clark and Pinkston voted aye. The motion carried 19-0-0-0.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE
COMMISSION OF KNOX COUNTY, TENNESSEE, RECOGNIZING
THE CRUZE FAMILY, THE SEVEN ISLANDS FOUNDATION, THE
FRENCH BROAD PRESERVATION ASSOCIATION, THE NATURAL
RESOURCES CONSERVATION SERVICE, LAND TRUST FOR
TENNESSEE, THE METROPOLITAN PLANNING COMMISSION
AND NINE COUNTIES ONE VISION FOR THEIR SUPPORT OF THE
AWARD WINNING CRUZE DAIRY FARM CONSERVATION
EASEMENT – R-04-12-104: (Book 20/Page 68)

This item was heard earlier on the day's agenda. (See Page 63 and 64)

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**IN RE: CONSIDERATION OF A RESOLUTION OF THE
COMMISSION OF KNOX COUNTY, TENNESSEE, RECOGNIZING
2005 AS THE YEAR OF THE FRENCH BROAD RIVER AND
CELEBRATING THE 50TH ANNIVERSARY OF THE PUBLICATION
OF “THE FRENCH BROAD RIVER” BY WILMA DYKEMAN –**

R-04-12-105: (Book 20/Page 68 & 69)

This item was heard earlier on the day’s agenda. (See Page 65)

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**IN RE: CONSIDERATION OF A RESOLUTION OF THE
COMMISSION OF KNOX COUNTY, TENNESSEE, HONORING THE
MEDIC REGIONAL BLOOD CENTER – R-04-12-106: (Book 20/Page**

69)

This item was heard earlier on the day’s agenda. (See Page 65)

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**IN RE: CONSIDERATION OF A RESOLUTION OF THE
COMMISSION OF KNOX COUNTY, TENNESSEE, HONORING THE
FULTON HIGH SCHOOL FALCONS FOR WINNING THEIR
SECOND CONSECUTIVE STATE 3A FOOTBALL CHAMPIONSHIP –**

R-04-12-107: (Book 20/Page 69)

This item was deferred to the January 2005 Board of
Commissioners meeting. (See Amendments to the Agenda, Page 61)

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

\$100,000.00 AND APPROVING A CONTRACT TO PURCHASE LAND

AT 717 EAST MAGNOLIA AVENUE – R-04-12-201: (Book 20/Page 69)

Consideration of a resolution of the Commission of Knox County, Tennessee, appropriating \$100,000.00 and approving a contract to purchase land at 717 East Magnolia Avenue was before the Board of Commissioners.

Commissioner Mills moved to approve Resolution R-04-12-201 Resolution of the Commission of Knox County, Tennessee, appropriating \$100,000.00 and approving a contract to purchase land at 717 East Magnolia Avenue. Commissioner Horner seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Hammond, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills, Clark and Pinkston voted aye. The motion carried 19-0-0-0.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE
COMMISSION OF KNOX COUNTY, TENNESSEE, APPROPRIATING
\$356,800.00 AND APPROVING A CONTRACT WITH AMEC EARTH
AND ENVIRONMENTAL FOR ENGINEERING SERVICES RELATED
TO DEVELOPMENT OF A STORMWATER DESIGN MANUAL AND
UPDATES TO RELATED ORDINANCES – R-04-12-402: (Book 20/Page
70)

Consideration of a resolution of the Commission of Knox County, Tennessee, appropriating \$356,800.00 and approving a contract with AMEC Earth and Environmental for engineering services related to

development of a stormwater design manual and updates to related ordinances was before the Board of Commissioners.

Commissioner Mills moved to approve Resolution R-04-12-402 Resolution of the Commission of Knox County, Tennessee, appropriating \$356,800.00 and approving a contract with AMEC Earth and Environmental for engineering services related to development of a stormwater design manual and updates to related ordinances. Commissioner Horner seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Hammond, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills, Clark and Pinkston voted aye. The motion carried 19-0-0-0.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, APPROVING A CONTRACT BETWEEN THE KNOX COUNTY HEALTH DEPARTMENT AND THE TENNESSEE DEPARTMENT OF AGRICULTURE FOR THE PROVISION OF RETAIL FOOD STORE INSPECTIONS – R-04-12-601: (Book 20/Page 71)

Consideration of a resolution of the Commission of Knox County, Tennessee, approving a contract between the Knox County Health Department and the Tennessee Department of Agriculture for the provision of Retail Food Store Inspections was before the Board of Commissioners.

Commissioner Mills moved to approve Resolution R-04-12-601 Resolution of the Commission of Knox County, Tennessee, approving a contract between the Knox County Health Department and the Tennessee Department of Agriculture for the provision of Retail Food Store

Inspections. Commissioner Horner seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Hammond, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills, Clark and Pinkston voted aye. The motion carried 19-0-0-0.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, REGARDING AMENDMENTS TO PROPERTY TAX INCENTIVE PROGRAM AND PAYMENTS IN LIEU OF TAXES IN ACCORDANCE WITH TENNESSEE CODE ANNOTATED SECTIONS 7-53-101 ET SEQ. – R-04-12-801: (Book 20/Page 72)

This item was heard later on the day's agenda. (See Page 104)

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IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, APPROVING THE GAY STREET REDEVELOPMENT AND URBAN RENEWAL PLAN CONTAINING A TAX INCREMENT FINANCING PROVISION – R-04-12-802: (Book 20/Page 72)

Consideration of a resolution of the Commission of Knox County, Tennessee, approving the Gay Street Redevelopment and Urban Renewal Plan containing a tax increment financing provision was before the Board of Commissioners.

Commissioner Mills moved to approve Resolution R-04-12-802 Resolution of the Commission of Knox County, Tennessee, approving the Gay Street Redevelopment and Urban Renewal Plan containing a tax

increment financing provision. Commissioner Horner seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Hammond, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills, Clark and Pinkston voted aye. The motion carried 19-0-0-0.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, EXPRESSING SUPPORT FOR THE CREATION OF A SPECIAL TAXING DISTRICT IN SOUTH KNOX COUNTY – R-04-12-803: (Book 20/Page 73)

This item was heard later on the day’s agenda. (See Page 105)

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IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, APPROPRIATING \$25,000.00 FROM A PORTION OF THE PROCEEDS OF AN INTERNET-BASED SURPLUS SALE TO PAY THE COSTS RELATED TO THE SALE – R-04-12-804: (Book 20/Page 73)

Consideration of a resolution of the Commission of Knox County, Tennessee, appropriating \$25,000.00 from a portion of the proceeds of an internet-based surplus sale to pay the costs related to the sale was before the Board of Commissioners.

Commissioner Mills moved to approve Resolution R-04-12-804 Resolution of the Commission of Knox County, Tennessee, appropriating \$25,000.00 from a portion of the proceeds of an internet-based surplus sale to pay the costs related to the sale. Commissioner Horner seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins,

Tindell, Moody, Harmon, Guthe, Schmid, Hammond, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills, Clark and Pinkston voted aye. The motion carried 19-0-0-0.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE
COMMISSION OF KNOX COUNTY, TENNESSEE, APPROVING
GRANT CONTRACT 05-03-FY5-103-ADMIN BETWEEN THE STATE
OF TENNESSEE DEPARTMENT OF LABOR AND WORKFORCE
DEVELOPMENT AND KNOX COUNTY FOR CAREER CENTER
OPERATIONS AND EMPLOYMENT SKILLS TRAINING UNDER THE
WORKFORCE INVESTMENT ACT – R-04-12-901: (Book 20/Page 74)

Consideration of a resolution of the Commission of Knox County, Tennessee, approving Grant Contract 05-03-FY5-103-ADMIN between the State of Tennessee Department of Labor and Workforce Development and Knox County for Career Center operations and employment skills training under the Workforce Investment Act was before the Board of Commissioners.

Commissioner Mills moved to approve Resolution R-04-12-901 Resolution of the Commission of Knox County, Tennessee, approving Grant Contract 05-03-FY5-103-ADMIN between the State of Tennessee Department of Labor and Workforce Development and Knox County for Career Center operations and employment skills training under the Workforce Investment Act. Commissioner Horner seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Hammond, Leuthold, Griess, Cawood,

Stephens, Horner, Moore, McMillan, Mills, Clark and Pinkston voted aye.

The motion carried 19-0-0-0.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, APPROVING GRANT CONTRACT 05-03-FY5-203-ADULT BETWEEN THE STATE OF TENNESSEE DEPARTMENT OF LABOR AND WORKFORCE DEVELOPMENT AND KNOX COUNTY FOR CAREER CENTER OPERATIONS AND EMPLOYMENT SKILLS TRAINING UNDER THE WORKFORCE INVESTMENT ACT – R-04-12-902: (Book 20/Page 74 & 75)

Consideration of a resolution of the Commission of Knox County, Tennessee, approving Grant Contract 05-03-FY5-203-ADULT between the State of Tennessee Department of Labor and Workforce Development and Knox County for Career Center operations and employment skills training under the Workforce Investment Act was before the Board of Commissioners.

Commissioner Mills moved to approve Resolution R-04-12-902 Resolution of the Commission of Knox County, Tennessee, approving Grant Contract 05-03-FY5-203-ADULT between the State of Tennessee Department of Labor and Workforce Development and Knox County for Career Center operations and employment skills training under the Workforce Investment Act. Commissioner Horner seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Hammond, Leuthold, Griess, Cawood,

Stephens, Horner, Moore, McMillan, Mills, Clark and Pinkston voted aye.

The motion carried 19-0-0-0.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, APPROVING GRANT CONTRACT 05-03-FY5-403-DSLWK BETWEEN THE STATE OF TENNESSEE DEPARTMENT OF LABOR AND WORKFORCE DEVELOPMENT AND KNOX COUNTY FOR CAREER CENTER OPERATIONS AND EMPLOYMENT SKILLS TRAINING UNDER THE WORKFORCE INVESTMENT ACT – R-04-12-903: (Book 20/Page 75 & 76)

Consideration of a resolution of the Commission of Knox County, Tennessee, approving Grant Contract 05-03-FY5-403-DSLWK between the State of Tennessee Department of Labor and Workforce Development and Knox County for Career Center operations and employment skills training under the Workforce Investment Act was before the Board of Commissioners.

Commissioner Mills moved to approve Resolution R-04-12-903 Resolution of the Commission of Knox County, Tennessee, approving Grant Contract 05-03-FY5-403-DSLWK between the State of Tennessee Department of Labor and Workforce Development and Knox County for Career Center operations and employment skills training under the Workforce Investment Act. Commissioner Horner seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Hammond, Leuthold, Griess, Cawood,

Stephens, Horner, Moore, McMillan, Mills, Clark and Pinkston voted aye.

The motion carried 19-0-0-0.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE
COMMISSION OF KNOX COUNTY, TENNESSEE, APPROVING A
GRANT AGREEMENT BETWEEN THE STATE OF TENNESSEE
DEPARTMENT OF HEALTH AND THE RICHARD L. BEAN
JUVENILE SERVICE CENTER FOR THE PROVISION OF URINE-
BASED SCREENING SERVICES FOR JUVENILES BOOKED AT THE
JUVENILE SERVICE CENTER FOR THE PERIOD OF JANUARY
2005 – DECEMBER 2005 – R-04-12-904: (Book 20/Page 76 & 77)

Consideration of a resolution of the Commission of Knox County, Tennessee, approving a grant agreement between the State of Tennessee Department of Health and the Richard L. Bean Juvenile Service Center for the provision of urine-based screening services for juveniles booked at the Juvenile Service Center for the period of January 2005 – December 2005 was before the Board of Commissioners.

Commissioner Mills moved to approve Resolution R-04-12-904 Resolution of the Commission of Knox County, Tennessee, approving a grant agreement between the State of Tennessee Department of Health and the Richard L. Bean Juvenile Service Center for the provision of urine-based screening services for juveniles booked at the Juvenile Service Center for the period of January 2005 – December 2005. Commissioner Horner seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Hammond, Leuthold,

Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills, Clark and Pinkston voted aye. The motion carried 19-0-0-0.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, APPROVING A GRANT AGREEMENT BETWEEN THE KNOX COUNTY DISTRICT PUBLIC DEFENDER'S OFFICE AND THE ALCOA FOUNDATION – R-04-12-905: (Book 20/Page 77)

Consideration of a resolution of the Commission of Knox County, Tennessee, approving a grant agreement between the Knox County District Public Defender's Office and the Alcoa Foundation was before the Board of Commissioners.

Commissioner Mills moved to approve Resolution R-04-12-905 Resolution of the Commission of Knox County, Tennessee, approving a grant agreement between the Knox County District Public Defender's Office and the Alcoa Foundation. Commissioner Horner seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Hammond, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills, Clark and Pinkston voted aye. The motion carried 19-0-0-0.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, APPROVING A CONTRACT WITH BB&T TO PROVIDE BANKING SERVICES FOR KNOX COUNTY – R-04-12-906: (Book 20/Page 78)

Consideration of a resolution of the Commission of Knox County, Tennessee, approving a contract with BB&T to provide banking services for Knox County was before the Board of Commissioners.

Commissioner Mills moved to approve Resolution R-04-12-906 Resolution of the Commission of Knox County, Tennessee, approving a contract with BB&T to provide banking services for Knox County.

Commissioner Horner seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Hammond, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills, Clark and Pinkston voted aye. The motion carried 19-0-0-0.

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IN RE: AMENDMENTS TO THE AGENDA – (CONTINUED):
(Book 20/Page 79)

11. Commissioner Moore amended the agenda to hear the following item at this time: Report from the Government Efficiency Panel.

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IN RE: REPORT FROM THE GOVERNMENT EFFICIENCY
PANEL: (Book 20/Page 79)

Report from the Government Efficiency Panel was before the Board of Commissioners.

Dr. Bruce Walker, Mr. Bob Hill and Mr. Tom Jensen, members of the Government Efficiency Panel, were present and gave the report.

No action was taken.

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A ten minute recess was taken at this time and Commissioner Moore indicated zonings would begin upon reconvening.

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IN RE: ZONING REQUESTS: (Book 20/Page 79-83)

1. Consideration of the request of Metropolitan Planning Commission for street name change from Grove Street to Grove Lane was before the Board of Commissioners. Street located between Brandville Road and west to deadend. Eighth Commission District. **(Book 20/Page 79)**

Commissioner Mills moved to approve zoning request 11-A-0-SNC – Request of Metropolitan Planning Commission for street name change from Grove Street to Grove Lane. Commissioner McMillan seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Hammond, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills, Clark and Pinkston voted aye. The motion carried 19-0-0-0. Street located between Brandville Road and west to deadend. Eighth Commission District.

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2. Consideration of the request of Metropolitan Planning Commission for street name change from unnamed easement to North Edington Lane was before the Board of Commissioners. Street located between Blount/Knox County line and north to deadend. Ninth Commission District. **(Book 20/Page 80)**

Commissioner Clark moved to approve zoning request 11-B-0-SNC - Request of Metropolitan Planning Commission for street name change from unnamed easement to North Edington Lane. Commissioner Pinkston seconded the motion and upon roll call vote

Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Hammond, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills, Clark and Pinkston voted aye. The motion carried 19-0-0-0. Street located between Blount/Knox County line and north to deadend. Ninth Commission District.

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3. Consideration of the request of Victor Jernigan for North City Sector Plan Amendment from LDR Low Density Residential Zone to C Commercial and O Office Zone (easternmost 22.9 acres of site) was before the Board of Commissioners. Property located on the west side of Washington Pike, south side of McCampbell Drive. Seventh Commission District. (*Book 20/Page 80 & 81*)

Mr. Ewing “Buzz” Johnson, Director of Development Services for Metropolitan Planning Commission, was present and spoke on the matter.

Mr. Doug Beeler, Vice-President for the Northeast Knox Preservation Association, was present and spoke in opposition to the request.

Mr. Victor Jernigan, petitioner, was present and spoke on behalf of the request.

Commissioner Horner moved to approve zoning request 9-C-04-SP - Request of Victor Jernigan for North City Sector Plan Amendment from LDR Low Density Residential Zone to C Commercial and O Office Zone as per MPC’s recommendation. Commissioner Moore seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Hammond, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills,

Clark and Pinkston voted aye. The motion carried 19-0-0-0. Property located on the west side of Washington Pike, south side of McCampbell Drive. Seventh Commission District.

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4. Consideration of the request of Victor Jernigan for rezoning from I Industrial, RB General Residential and PR Planned Residential Zone to PR Planned Residential, SC Shopping Center and OA Office Park Zone was before the Board of Commissioners. Property located on the Property located on the west side of Washington Pike, south side of McCampbell Drive. Seventh Commission District. (*Book 20/Page 81 & 82*)

Mr. Ewing “Buzz” Johnson, Director of Development Services for Metropolitan Planning Commission, was present and spoke on the matter.

Mr. Doug Beeler, Vice-President for the Northeast Knox Preservation Association, was present and spoke in opposition to the request.

Mr. Victor Jernigan, petitioner, was present and spoke on behalf of the request.

Commissioner Moore moved to approve zoning request 9-I-04-RZ - request of Victor Jernigan for rezoning from I Industrial, RB General Residential and PR Planned Residential Zone to SC Shopping Center, OA Office Park Zone and PR Planned Residential at a density of 1 to 5 dwelling units per acre as per MPC’s recommendation. Commissioner Horner seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Hammond, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills, Clark and Pinkston voted aye. The motion carried 19-0-0-0. Property

located on the Property located on the west side of Washington Pike, south side of McCampbell Drive. Seventh Commission District.

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5. Consideration of the request of Cobia Development for rezoning from A Agricultural Zone to PR Planned Residential Zone was before the Board of Commissioners. Property located on the northeast side of Ellistown Road, southeast side of Rutledge Pike. Eighth Commission District. (*Book 20/Page 82*)

Mr. Ewing “Buzz” Johnson, Director of Development Services for Metropolitan Planning Commission, was present and spoke on the matter.

Mr. John King, Attorney representing petitioner, was present and spoke on behalf of the request.

Mr. Wayne Kline, Attorney representing area residents, was present and spoke in opposition to the request.

Commissioner Griess moved to approve zoning request 10-E-04-RZ - Request of Cobia Development for rezoning from A Agricultural Zone to PR Planned Residential Zone at a density of 1 to 4 dwelling units per acre as per MPC’s recommendation. Commissioner Harmon seconded the motion.

Commissioner McMillan moved as a substitute motion to defer to the January 2005 Board of Commissioners meeting zoning request 10-E-04-RZ - Request of Cobia Development for rezoning from A Agricultural Zone to PR Planned Residential Zone. Commissioner Mills seconded the motion and upon roll call vote Commissioners Mills, McMillan, Moore, Horner, Stephens, Cawood, Leuthold, Hammond,

Schmid, Tindell, Collins, Strickland, Jordan, Pinkston and Clark voted aye. Commissioners Griess, Guthe, Harmon and Moody voted no. The substitute motion carried 15-4-0-0.

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IN RE: AMENDMENTS TO THE AGENDA – (CONTINUED):
(Book 20/Page 83 & 84)

12. Commissioner Moore amended the agenda to hear the following item at this time: Rezoning Appeal 10-C-04-SP – Appeal by Steve Roth, Attorney for applicants S & E Properties, of MPC denial of Southwest County Sector Plan Amendment from A/RR Agricultural/Rural Residential Zone to LDR Low Density Residential Zone.

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IN RE: REZONING APPEAL: ***(Book 20/Page 84)***

1. Consideration of the appeal by Steve Roth, Attorney for applicants S & E Properties, of MPC denial of Southwest County Sector Plan Amendment from A/RR Agricultural/Rural Residential Zone to LDR Low Density Residential Zone was before the Board of Commissioners. Property located on the southeast side of Early Road, northeast of Signal Point Road. Fifth Commission District. ***(Book 20/Page 84)***

Mr. Ewing “Buzz” Johnson, Director of Development Services for Metropolitan Planning Commission, and Mr. Dave Hill, Executive Director for Metropolitan Planning Commission, were present and spoke on the matter.

Mr. Jim McEvers and Mr. Charles Ross, area residents, were present and spoke in opposition to the appeal.

Mr. Arthur Seymour, Attorney, was present and spoke in opposition to the appeal.

Mr. Steve Roth, Attorney for S & E Properties, was present and spoke on behalf of the appeal.

Commissioner Leuthold moved to deny rezoning appeal 10-C-04-SP – Appeal by Steve Roth, Attorney for applicants S & E Properties, of MPC denial of Southwest County Sector Plan Amendment from A/RR Agricultural/Rural Residential Zone to LDR Low Density Residential Zone. Commissioner Hammond seconded the motion.

Commissioner Griess moved as a substitute motion to approve rezoning appeal 10-C-04-SP - Appeal by Steve Roth, Attorney for applicants S & E Properties, of MPC denial of Southwest County Sector Plan Amendment from A/RR Agricultural/Rural Residential Zone to LDR Low Density Residential Zone. Commissioner Stephens seconded the motion and upon roll call vote Commissioners Cawood, Clark and Pinkston voted aye. Commissioners Hammond, Leuthold, Griess, Stephens, Horner, Moore, McMillan, Mills, Jordan, Strickland, Collins, Tindell, Moody, Harmon and Guthe voted no. Commissioner Schmid recused himself from the vote. The substitute motion failed 3-15-1-0.

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IN RE: ZONING REQUESTS – (CONTINUED): (Book 20/Page 85-97)

6. Consideration of the request of S & E Properties for rezoning from A Agricultural Zone to PR Planned Residential Zone was before the Board of Commissioners. Property located on the southeast side

of Early Road, northeast of Signal Point Road. Fifth Commission District.

(Book 20/Page 85)

Mr. Ewing “Buzz” Johnson, Director of Development Services for Metropolitan Planning Commission, and Mr. Dave Hill, Executive Director for Metropolitan Planning Commission, were present and spoke on the matter.

Commissioner Griess moved to approve zoning request 10-F-04-RZ – Request of S & E Properties for rezoning from A Agricultural Zone to PR Planned Residential Zone at a density up to 1 dwelling unit per acre as per MPC’s recommendation. Commissioner Hammond seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Hammond, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills, Clark and Pinkston voted aye. Commissioner Schmid recused himself from the vote. The motion carried 18-0-1-0. Property located on the southeast side of Early Road, northeast of Signal Point Road. Fifth Commission District.

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7. Consideration of the request of Harry W. Koogler for rezoning from A Agricultural Zone to PR Planned Residential Zone was before the Board of Commissioners. Property located on the southeast side of South Northshore Drive, southwest side of Toolles Bend Road. Fourth Commission District. *(Book 20/Page 86)*

Mr. Ewing “Buzz” Johnson, Director of Development Services for Metropolitan Planning Commission, was present and spoke on the matter.

Mr. Gary Prince, Attorney representing Harry W. Koogler, and Mr. Harry Koogler, petitioner, were present and spoke on behalf of the request.

Mr. Debra Vanmeter and Mr. John Keck, area residents, were present and spoke in opposition to the request.

Mr. Mike Moyers, Knox County Law Director, was present and spoke on the matter.

Commissioner Schmid moved to approve zoning request 10-H-04-RZ – Request of Harry W. Koogler for rezoning from A Agricultural Zone to PR Planned Residential Zone at a density of 1 to 4 dwelling units per acre. Commissioner Guthe seconded the motion and upon roll call vote Commissioners Pinkston, Clark, McMillan, Moore, Horner, Cawood, Griess, Schmid, Guthe, Harmon, Moody, Tindell, Collins, Strickland and Jordan voted aye. Commissioners Mills, Stephens and Leuthold voted no. Commissioner Hammond was absent from the vote. The motion carried 15-3-0-1. Property located on the southeast side of South Northshore Drive, southwest side of Toolles Bend Road. Fourth Commission District.

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8. Consideration of the request of Todd Garrett for rezoning from A Agricultural Zone to RB General Residential Zone was before the Board of Commissioners. Property located on the southeast side of Cunningham Road, southwest of Fraker Road. Seventh Commission District. (*Book 20/Page 87*)

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

Commissioner Horner moved to approve zoning request 10-AA-04-RZ – Request of Todd Garrett for rezoning from A Agricultural Zone to PR Planned Residential Zone at a density of 1 to 2 dwelling units per acre as per MPC’s recommendation. Commissioner Moore seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills, Clark and Pinkston voted aye. Commissioner Hammond was absent from the vote. The motion carried 18-0-0-1. Property located on the southeast side of Cunningham Road, southwest of Fraker Road. Seventh Commission District.

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9. Consideration of the request of Robert H. Whitaker for rezoning from A Agricultural Zone to PR Planned Residential Zone was before the Board of Commissioners. Property located on the north and west sides of Foote Mineral Lane, north of Bakertown Road. Third Commission District. (*Book 20/Page 87*)

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

Commissioner Moody moved to approve zoning request 11-A-04-RZ – Request of Robert H. Whitaker for rezoning from A Agricultural Zone to PR Planned Residential Zone at a density of 1 to 5 dwelling units per acre as per MPC’s recommendation. Commissioner Harmon seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills, Clark and Pinkston voted aye. Commissioner Hammond was absent from the vote.

The motion carried 18-0-0-1. Property located on the north and west sides of Foote Mineral Lane, north of Bakertown Road. Third Commission District.

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10. Consideration of the request of Oakleigh, G.P. for Northwest County Sector Plan Amendment from TP Technology Park Zone to LDR Low Density Residential Zone was before the Board of Commissioners. Property located on the northeast side of Solway Road, northwest of George Light Road. Sixth Commission District. (*Book 20/Page 88*)

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

Commissioner Cawood moved to approve zoning request 11-A-04-SP – Request of Oakleigh, G.P. for Northwest County Sector Plan Amendment from TP Technology Park Zone to LDR Low Density Residential Zone as per MPC’s recommendation. Commissioner Stephens seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills, Clark and Pinkston voted aye. Commissioner Hammond was absent from the vote. The motion carried 18-0-0-1. Property located on the northeast side of Solway Road, northwest of George Light Road. Sixth Commission District.

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11. Consideration of the request of Oakleigh, G.P. for rezoning from PC Planned Commercial and A Agricultural/TO Technology Overlay Zone to PR Planned Residential and PR Planned Residential/TO Technology Overlay Zone was before the Board of Commissioners. Property located on the northeast side of Solway Road, northwest of George Light Road. Sixth Commission District. *(Book 20/Page 89)*

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

Commissioner Cawood moved to approve zoning request 11-B-04-RZ – Request of Oakleigh, G.P. for rezoning from PC Planned Commercial and A Agricultural/TO Technology Overlay Zone to PR Planned Residential and PR Planned Residential/TO Technology Overlay Zone at a density of 1 to 3 dwelling units per acre as per MPC's recommendation. Commissioner Stephens seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills, Clark and Pinkston voted aye. Commissioner Hammond was absent from the vote. The motion carried 18-0-0-1. Property located on the northeast side of Solway Road, northwest of George Light Road. Sixth Commission District.

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12. Consideration of the request of Derek Hinkley for rezoning from A Agricultural Zone to RA Low Density Residential Zone was before the Board of Commissioners. Property located on the southeast side of East Emory Road, northeast of Thomas Lane. Seventh Commission District. *(Book 20/Page 90)*

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

Commissioner Horner moved to approve zoning request 11-D-04-RZ – Request of Derek Hinkley for rezoning from A Agricultural Zone to RA Low Density Residential Zone as per MPC’s recommendation. Commissioner Moore seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills, Clark and Pinkston voted aye. Commissioner Hammond was absent from the vote. The motion carried 18-0-0-1. Property located on the southeast side of East Emory Road, northeast of Thomas Lane. Seventh Commission District.

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13. Consideration of the request of David Eubanks for rezoning from A Agricultural/TO Technology Overlay and RA Low Density Residential/TO Technology Overlay Zone to OB Office, Medical and Related Services/TO Technology Overlay Zone was before the Board of Commissioners. Property located on the east side of Lovell Road, north of High Meadow Drive. Sixth Commission District. (*Book 20/Page 90*)

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

Commissioner Griess moved to approve zoning request 11-F-04-RZ – Request of David Eubanks for rezoning from A Agricultural/TO Technology Overlay and RA Low Density Residential/TO Technology Overlay Zone to OB Office, Medical and Related Services/TO Technology Overlay Zone as per MPC’s recommendation. Commissioner

Leuthold seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills, Clark and Pinkston voted aye. Commissioner Hammond was absent from the vote. The motion carried 18-0-0-1. Property located on the east side of Lovell Road, north of High Meadow Drive. Sixth Commission District.

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14. Consideration of the request of Linda L. Brown for rezoning from BP Business and Technology/TO Technology Overlay Zone to PR Planned Residential/TO Technology Overlay Zone was before the Board of Commissioners. Property located on the south side of Bob Gray Road, east of Almanac Lane. Sixth Commission District. (*Book 20/Page 91*)

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

Commissioner Griess moved to approve zoning request 11-G-04-RZ – Request of Linda L. Brown for rezoning from BP Business and Technology/TO Technology Overlay Zone to PR Planned Residential/TO Technology Overlay Zone at a density of 1 to 3 dwelling units per acre as per MPC’s recommendation. Commissioner Stephens seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills, Clark and Pinkston voted aye. Commissioner Hammond was absent from the vote.

The motion carried 18-0-0-1. Property located on the south side of Bob Gray Road, east of Almanac Lane. Sixth Commission District.

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15. Consideration of the request of Garron Land Surveying for rezoning from A Agricultural and PR Planned Residential to RA Low Density Residential Zone was before the Board of Commissioners. Property located on the northeast side of Collier Road, northeast of Paradise Drive. Sixth Commission District. Sixth Commission District. (*Book 20/Page 92*)

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

Commissioner Cawood moved to approve zoning request 11-H-04-RZ – Request of Garron Land Surveying for rezoning from A Agricultural and PR Planned Residential to RA Low Density Residential Zone as per MPC’s recommendation. Commissioner Stephens seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills, Clark and Pinkston voted aye. Commissioner Hammond was absent from the vote. The motion carried 18-0-0-1. Property located on the northeast side of Collier Road, northeast of Paradise Drive. Sixth Commission District. Sixth Commission District.

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16. Consideration of the request of Bates Family Partnership for rezoning from CH Highway Commercial and A Agricultural Zone to CA General Business Zone was before the Board of Commissioners. Property located on the southeast side of East Raccoon Valley Road, southwest of I-75. Seventh Commission District. (*Book 20/Page 93*)

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

Commissioner Horner moved to approve zoning request 11-I-04-RZ – Request of Bates Family Partnership for rezoning from CH Highway Commercial and A Agricultural Zone to CA General Business Zone as per MPC’s recommendation. Commissioner Moore seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills, Clark and Pinkston voted aye. Commissioner Hammond was absent from the vote. The motion carried 18-0-0-1. Property located on the southeast side of East Raccoon Valley Road, southwest of I-75. Seventh Commission District.

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17. Consideration of the request of Brian J. Davis for Northwest County Sector Plan Amendment from A/RR Agricultural/ Rural Residential Zone to LDR Low Density Residential Zone was before the Board of Commissioners. Property located on the southeast side of Yarnell Road, northeast of Cooper Lane, southwest of Carmichael Road. Fifth Commission District. (*Book 20/Page 93*)

Mr. Ewing “Buzz” Johnson, Director of Development Services for Metropolitan Planning Commission, was present and spoke on the matter.

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

Commissioner Cawood moved to approve zoning request

11-B-04-SP – Request of Brian J. Davis for Northwest County Sector Plan Amendment from A/RR Agricultural/ Rural Residential Zone to LDR Low Density Residential Zone as per MPC’s recommendation. Commissioner Griess seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills, Clark and Pinkston voted aye. Commissioner Hammond was absent from the vote. The motion carried 18-0-0-1. Property located on the southeast side of Yarnell Road, northeast of Cooper Lane, southwest of Carmichael Road. Fifth Commission District.

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18. Consideration of the request of Brian J. Davis for rezoning from A Agricultural Zone to PR Planned Residential Zone was before the Board of Commissioners. Property located on the southeast side of Yarnell Road, northeast of Cooper Lane, southwest of Carmichael Road. Fifth Commission District. (*Book 20/Page 94*)

Mr. Ewing “Buzz” Johnson, Director of Development Services for Metropolitan Planning Commission, was present and spoke on the matter.

Commissioner Cawood moved to approve zoning request 11-J-04-RZ – Request of Brian J. Davis for rezoning from A Agricultural Zone to PR Planned Residential Zone at a density of 1 to 3 dwelling units per acre as per MPC’s recommendation. Commissioner Griess seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Leuthold, Griess, Cawood,

Stephens, Horner, Moore, McMillan, Mills, Clark and Pinkston voted aye. Commissioner Hammond was absent from the vote. The motion carried 18-0-0-1. Property located on the southeast side of Yarnell Road, northeast of Cooper Lane, southwest of Carmichael Road. Fifth Commission District.

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19. Consideration of the request of Cornerstone Development, LLC for rezoning from A Agricultural Zone to OB Office, Medical and Related Services Zone was before the Board of Commissioners. Property located on the west side of Fox Road, north of Donovan Lane. Fifth Commission District. (*Book 20/Page 95*)

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

Commissioner Griess moved to approve zoning request 11-L-04-RZ – Request of Cornerstone Development, LLC for rezoning from A Agricultural Zone to OB Office, Medical and Related Services Zone as per MPC’s recommendation. Commissioner Leuthold seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills, Clark and Pinkston voted aye. Commissioner Hammond was absent from the vote. The motion carried 18-0-0-1. Property located on the west side of Fox Road, north of Donovan Lane. Fifth Commission District.

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20. Consideration of the request of E.L. Duncan Builder, Inc. for rezoning from A Agricultural zone to PR Planned Residential Zone was before the Board of Commissioners. Property located on the northwest side

of Dante Road, southwest of Saint Croix Lane. Seventh Commission District. (*Book 20/Page 96*)

Without objection, Commissioner Moore withdrew this item from the agenda.

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21. Consideration of the request of New Heritage, LLC for North County Sector Plan Amendment from LDR Low Density Residential Zone to C Commercial Zone was before the Board of Commissioners. Property located on the southwest side of Dry Gap Pike, southwest of Emerald Pointe Lane. Seventh Commission District. (*Book 20/Page 96*)

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

Commissioner Horner moved to approve zoning request 11-C-04-SP – Request of New Heritage, LLC for North County Sector Plan Amendment from LDR Low Density Residential Zone to C Commercial Zone as per MPC’s recommendation. Commissioner Moore seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills, Clark and Pinkston voted aye. Commissioner Hammond was absent from the vote. The motion carried 18-0-0-1. Property located on the southwest side of Dry Gap Pike, southwest of Emerald Pointe Lane. Seventh Commission District.

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22. Consideration of the request of New Heritage, LLC for rezoning from A Agricultural Zone to CA General Business Zone was before the Board of Commissioners. Property located on the southwest side

of Dry Gap Pike, southwest of Emerald Pointe Lane. Seventh Commission District. (*Book 20/Page 97*)

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

Commissioner Horner moved to approve zoning request 11-N-04-RZ – Request of New Heritage, LLC for rezoning from A Agricultural Zone to CA General Business Zone as per MPC’s recommendation. Commissioner Moore seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills, Clark and Pinkston voted aye. Commissioner Hammond was absent from the vote. The motion carried 18-0-0-1. Property located on the southwest side of Dry Gap Pike, southwest of Emerald Pointe Lane. Seventh Commission District.

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IN RE: REZONING APPEAL: (Book 20/Page 98)

1. Consideration of the appeal by Steve Roth, Attorney for applicants S & E Properties, of MPC denial of Southwest County Sector Plan Amendment from A/RR Agricultural/Rural Residential Zone to LDR Low Density Residential Zone was before the Board of Commissioners. Property located on the southeast side of Early Road, northeast of Signal Point Road. Fifth Commission District. (*Book 20/Page 98*)

This item was heard earlier on the day’s agenda. (See Page

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IN RE: APPROVAL OF MINUTES OF THE PREVIOUS

MEETING: (Book 20/Page 98)

Consideration of approval of minutes of the previous meeting was before the Board of Commissioners.

Commissioner Horner moved to approve the minutes of the previous meeting. Commissioner Leuthold seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills, Clark and Pinkston voted aye. Commissioner Hammond was absent from the vote. The motion carried 18-0-0-1.

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IN RE: ELECTIONS AND APPOINTMENTS: (Book 20/Page 98)

IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, APPROVING THE APPOINTMENT OF VICTORIA DEFREESE TO THE KNOX COUNTY LIBRARY BOARD – R-04-12-110: (Book 20/Page 98 & 99)

Consideration of a resolution of the Commission of Knox County, Tennessee, approving the appointment of Victoria Defreese to the Knox County Library Board was before the Board of Commissioners.

Commissioner Tindell moved to approve Resolution R-04-12-110 - Resolution of the Commission of Knox County, Tennessee, approves the appointment of Victoria Defreese to the Knox County Library Board. Commissioner Horner seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon,

Guthe, Schmid, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills, Clark and Pinkston voted aye. Commissioner Hammond was absent from the vote. The motion carried 18-0-0-1.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE
COMMISSION OF KNOX COUNTY, TENNESSEE, APPROVING
APPOINTMENTS TO THE BOARD OF THE EMERGENCY
COMMUNICATIONS DISTRICT – R-04-12-111: (Book 20/Page 99)

Consideration of a resolution of the Commission of Knox County, Tennessee, approving appointments to the Board of the Emergency Communications District was before the Board of Commissioners.

Commissioner Moore moved to approve Resolution R-04-12-111 - Resolution of the Commission of Knox County, Tennessee, approving appointments to the Board of the Emergency Communications District. Commissioner Harmon seconded the motion.

Commissioner Griess moved as a substitute motion to defer to the January 2005 Board of Commissioners meeting Resolution R-04-12-111 Resolution of the Commission of Knox County, Tennessee, approving appointments to the Board of the Emergency Communications District. Commissioner Guthe seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Leuthold, Griess, Cawood, Stephens, Horner, McMillan, Mills, Clark and Pinkston voted aye. Commissioner Moore voted no. Commissioner Hammond was absent from the vote. The substitute motion carried 17-1-0-1.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE
COMMISSION OF KNOX COUNTY, TENNESSEE, RE-APPOINTING
JOHN O. DAVIS, JUDY BARTON COX AND PAT BEASLEY TO THE
KNOX COUNTY PERSONNEL BOARD – R-04-12-112: (Book 20/Page
100)

Consideration of a resolution of the Commission of Knox County, Tennessee, re-appointing John O. Davis, Judy Barton Cox and Pat Beasley to the Knox County Personnel Board was before the Board of Commissioners.

Commissioner Mills moved to approve Resolution R-04-12-112 Resolution of the Commission of Knox County, Tennessee, re-appointing John O. Davis, Judy Barton Cox and Pat Beasley to the Knox County Personnel Board. Commissioner Horner seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills, Clark and Pinkston voted aye. Commissioner Hammond was absent from the vote. The motion carried 18-0-0-1.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE
COMMISSION OF KNOX COUNTY, TENNESSEE, APPROVING THE
APPOINTMENT OF BRIDGET BIDWELL CORRELL TO THE
COMMUNITY REUSE ORGANIZATION OF EAST TENNESSEE
BOARD – R-04-12-113: (Book 20/Page 101)

Consideration of a resolution of the Commission of Knox County, Tennessee, approving the appointment of Bridget Bidwell Correll to

the Community Reuse Organization of East Tennessee Board was before the Board of Commissioners.

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

Commissioner Tindell moved to approve Resolution R-04-12-113 - Resolution of the Commission of Knox County, Tennessee, approving the appointment of Bridget Bidwell Correll to the Community Reuse Organization of East Tennessee Board. Commissioner Horner seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills, Clark and Pinkston voted aye. Commissioner Hammond was absent from the vote. The motion carried 18-0-0-1.

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IN RE: DRIVES AND ROADS: (Book 20/Page 102)

IN RE: CONSIDERATION OF CLOSURE OF A PORTION OF SHANNON VALLEY DRIVE. PROPERTY LOCATED ON MURPHY ROAD. SOUTHLAND GROUP, PROPERTY OWNER – (SECOND READING): (Book 20/Page 102)

Consideration of closure of a portion of Shannon Valley Drive. Property located on Murphy Road was before the Board of Commissioners on second reading. Southland Group, property owner.

Commissioner Tindell moved to approve the closure of a portion of Shannon Valley Drive on second reading. Commissioner Horner seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills, Clark and Pinkston voted aye. Commissioner Hammond was absent from the vote. The motion carried 18-0-0-1.

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IN RE: ACCEPTANCE OF NEW COUNTY ROADS: (Book 20/Page 102 & 103)

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

- A. Hunters Creek Lane, Hunters Creek Subdivision, District 5.
- B. Deer Ridge Lane, Hunters Creek Subdivision, District 5.
- C. Grand Colony Lane, Grand Colony Subdivision, District 6.
- D. Miller Creek Lane, Miller Plantation Subdivision, District 6.
- E. Gose Cove Lane, Miller Plantation Subdivision, District 6.
- F. Rhyne Cove Lane, Miller Plantation Subdivision, District 6.
- G. Gose Cove Lane, Miller Plantation Subdivision, Unit II, District 6.
- H. Rhyne Cove Lane, Miller Plantation Subdivision, Unit III, District 6.
- I. Lands End Lane, Miller Plantation Subdivision, Unit III, District 6.
- J. Andrew's Crossing Lane, Andrew's Crossing Subdivision, District 6.
- K. John Andrew's Lane, Andrew's Crossing Subdivision, District 6.

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

Commissioner Tindell moved to approve Items #A, #B, #C, #D, #E, #F, #G, #H and #I of the above acceptance of new county roads.

Commissioner Mills seconded the motion and upon roll call vote

Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon,

Guthe, Schmid, Leuthold, Griess, Cawood, Stephens, Horner, Moore,

McMillan, Mills, Clark and Pinkston voted aye. Commissioner Hammond

was absent from the vote. The motion carried 18-0-0-1.

Commissioner Mills moved to defer to the January 2005 Board of Commissioners meeting Items #J and #K of the above acceptance of new

county roads. Commissioner Tindell seconded the motion and upon roll call

vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon,

Guthe, Schmid, Leuthold, Griess, Cawood, Stephens, Horner, Moore,

McMillan, Mills, Clark and Pinkston voted aye. Commissioner Hammond

was absent from the vote. The motion carried 18-0-0-1.

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IN RE: RESOLUTIONS:

**IN RE: CONSIDERATION OF A RESOLUTION OF THE
COMMISSION OF KNOX COUNTY, TENNESSEE, APPROVING AN
AMENDED FIVE-YEAR CAPITAL IMPROVEMENT PLAN FOR
FISCAL YEARS 2005-2009 – R-04-12-202: (Book 20/Page 104)**

Consideration of a resolution of the Commission of Knox County, Tennessee, approving an amended Five-Year Capital Improvement Plan for Fiscal Years 2005-2009 was before the Board of Commissioners.

Commissioner Leuthold moved to approve Resolution R-04-12-202 - Resolution of the Commission of Knox County, Tennessee, approving an amended Five-Year Capital Improvement Plan for Fiscal Years 2005-2009. The motion was seconded upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan and Mills voted aye. Commissioners Clark and Pinkston voted no. Commissioner Hammond was absent from the vote. The motion carried 16-2-0-1.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, REGARDING AMENDMENTS TO PROPERTY TAX INCENTIVE PROGRAM AND PAYMENTS IN LIEU OF TAXES IN ACCORDANCE WITH TENNESSEE CODE ANNOTATED SECTIONS 7-53-101 ET SEQ. – R-04-12-801: (Book 20/Page 104)

Consideration of a resolution of the Commission of Knox County, Tennessee, regarding amendments to property tax incentive program and payments in lieu of taxes in accordance with Tennessee Code Annotated Sections 7-53-101 Et Seq. was before the Board of Commissioners.

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

Commissioner Tindell moved to approve Resolution

R-04-12-801 - Resolution of the Commission of Knox County, Tennessee, regarding amendments to property tax incentive program and payments in lieu of taxes in accordance with Tennessee Code Annotated Sections 7-53-101 Et Seq. Commissioner Stephens seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills, Clark and Pinkston voted aye. Commissioner Hammond was absent from the vote. The motion carried 18-0-0-1.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, EXPRESSING SUPPORT FOR THE CREATION OF A SPECIAL TAXING DISTRICT IN SOUTH KNOX COUNTY – R-04-12-803: (Book 20/Page 105)

Consideration of a resolution of the Commission of Knox County, Tennessee, expressing support for the creation of a special taxing district in South Knox County was before the Board of Commissioners.

Mr. John Werner, Knox County Finance Director, and Mr. Mike Moyers, Knox County Law Director, were present and spoke on the matter.

Commissioner Tindell moved to approve Resolution R-04-12-803 - Resolution of the Commission of Knox County, Tennessee, expressing support for the creation of a special taxing district in South Knox County. Commissioner Mills seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Leuthold, Griess, Cawood, Stephens, Horner, Moore,

McMillan, Mills, Clark and Pinkston voted aye. Commissioner Hammond was absent from the vote. The motion carried 18-0-0-1.

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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 ORDINANCE O-96-4-101 REGARDING THE TRANSPORTATION OF LITTER, GARBAGE AND WASTE IN KNOX COUNTY – O-04-12-101 – (FIRST READING): (Book 20/Page 106)

Consideration of an Ordinance of the Commission of Knox County, Tennessee, amending Knox County Ordinance O-96-4-101 regarding the transportation of litter, garbage and waste in Knox County was before the Board of Commissioners on first reading.

Commissioner Tindell moved to approve Ordinance O-04-12-101 - Ordinance of the Commission of Knox County, Tennessee, amending Knox County Ordinance O-96-4-101 regarding the transportation of litter, garbage and waste in Knox County on first reading. Commissioner Leuthold seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills, Clark and Pinkston voted aye. Commissioner Hammond was absent from the vote. The motion carried 18-0-0-1.

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IN RE: CONSIDERATION OF AN ORDINANCE OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, AMENDING KNOX

COUNTY CODE SECTION 62-186(A)(2) REGARDING PARKING
WITHIN FIRE OR OTHER DESIGNATED EMERGENCY ACCESS
LANES – O-04-11-103 – (FIRST READING) (Book 20/Page 107)

Consideration of an Ordinance of the Commission of Knox County, Tennessee, amending Knox County Code Section 62-186(A)(2) regarding parking within fire or other designated emergency access lanes was before the Board of Commissioners on first reading.

Commissioner Tindell moved to approve Ordinance O-04-12-102 - Ordinance of the Commission of Knox County, Tennessee, amending Knox County Code Section 62-186(A)(2) regarding parking within fire or other designated emergency access lanes on first reading.

Commissioner Mills seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Collins, Tindell, Moody, Harmon, Guthe, Schmid, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills, Clark and Pinkston voted aye. Commissioner Hammond was absent from the vote. The motion carried 18-0-0-1.

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IN RE: AMENDMENTS TO THE AGENDA – (CONTINUED):
(Book 20/Page 108)

13. At this time there was discussion regarding the appointment of an attorney to represent the Knox County Commission in Moody v. Hutchison, Knox Chancery #153315-2.

Commissioner Moore submitted the name of Attorney Steve Roth.

Upon roll call vote of the motion to approve the appointment of Steve Roth for attorney to represent the Knox County Commission in Moody v. Hutchison, Knox Chancery #153315-2, Commissioners Jordan, Strickland, Collins, Tindell, Harmon, Guthe, Schmid, Leuthold, Griess, Cawood, Stephens, Horner, Moore, McMillan, Mills, Clark and Pinkston voted aye. Commissioner Moody voted no. Commissioner Hammond was absent from the vote. The motion carried 17-1-0-1.

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IN RE: PUBLIC FORUM: (Book 20/Page 108)

No one was present to speak.

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IN RE: ROLL CALL BY DISTRICTS: (Book 20/Page 108)

Commissioner Moore dispensed with roll call by districts and called for adjournment.

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IN RE: ADJOURNMENT: (Book 20/Page 108)

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

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KNOX COUNTY BOARD OF COMMISSIONERS

SCOTT MOORE, CHAIRMAN