

KNOX COUNTY BOARD OF COMMISSIONERS

The Knox County Board of Commissioners met in Regular Session on Monday, August 24, 2009 at 2:00 p.m. in the Main Assembly Room of the City-County Building, Main Avenue. Those members present were Commissioners Strickland, Mark Harmon, Broyles, Norman, Ivan Harmon, Saunders, Shouse, Hammond, Leuthold, Briggs, Anders, Lambert, Smith, Carringer, Armstrong, Wright, Brown and Pinkston. Commissioner McKenzie arrived later in the meeting. Also present were Mr. Mike Ragsdale, Knox County Mayor, Mr. Joe Jarret, Knox County Chief Deputy Law Director, Mr. Bruce Wuethrich, Director, Engineering and Public Works, Mr. Richard Walls, Knox County Internal Auditor, Mr. Grant Rosenberg, Director, Office of Neighborhoods, Mr. John Troyer, Director, Knox County Finance and news media.

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

* * * * *

IN RE: ROLL CALL:

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

* * * * *

IN RE: DEVOTIONAL:

Reverend Johnny Price gave the devotional.

* * * * *

IN RE: PLEDGE OF ALLEGIANCE TO THE FLAG:

Captain Mark Brogan, United States Army led the Pledge of Allegiance to the flag.

* * * * *

IN RE: AMENDMENTS TO THE AGENDA:

Without objection, Commissioner Strickland amended the agenda as follow:

Move to the top of the agenda R-09-8-906 – Resolution of the Commission of Knox County Tennessee requesting that Knox County Government insure that employees who are also nursing mothers who wish to continue breast feeding after returning to work are provided, at county expense, a clean, convenient, comfortable and private location to express milk at the work site as well as be provided with adequate break time in which to do so, free of harassment as well as permitting a nursing mother to breastfeed her child in any location, public or private, as authorized by law, as well as support H.R. 2819, S. 1244, the Breast Feeding Promotion Act currently pending in the United States Congress.

* * * * *

Move to the top of the agenda R-09-8-802 – Resolution of the Commission of Knox County, Tennessee adopting a Certified Tax Rate for the Forks of the River Industrial Park Fire District for fiscal year 2009-2010.

* * * * *

Move to the top of the agenda R-08-8-804 – Resolution of the Commission of Knox County, Tennessee approving a contract with Rural Metro in the amount of \$807,206.00 to provide Fire Protection Services for the Forks of the River Industrial Park for a three (3) year term beginning August 1, 2009 and ending July 31, 2012.

* * * * *

Remove from the consent agenda and add to the regular agenda R-09-8-103 – Resolution of the Commission of Knox County, Tennessee honoring Rural/Metro Division General Manager Rob Webb and move to the top of the agenda.

* * * * *

Move to the top of the agenda R-08-9-908 – Resolution of the Commission of Knox County, Tennessee approving the reorganization of the Office of Pre-trial and Probation by transferring the personnel, duties, responsibilities and funding of the Pre-trial section of said office from the Knox County Mayor’s Office to the Knox County Sheriff’s Office.

* * * * *

At this time Commissioner Strickland spoke on the Rules Committee regarding Public Forum at the Commission meetings. The Commission will hear Public Forum three (3) times during Commission meetings, one after honoring resolutions, before zonings, and at the end of Commission.

* * * * *

Remove from the consent agenda and add to the regular agenda R-09-8-101 – Resolution of the Commission of Knox County, Tennessee memorializing Henry Ellenberg.

* * * * *

Move to the top of the agenda Presentation regarding Flu Vaccinations and add to the agenda.

* * * * *

Commissioner Wright moved to add to the end of the agenda an item regarding Sunshine if Commission ended before 8:00 p.m.

* * * * *

Discussion regarding people holding up signs at Commission Meetings. Mr. Joe Jarret, Knox County Chief Deputy Law Director, was present and spoke on the matter.

* * * * *

Add to the regular agenda R-09-8-910 – Resolution of the Commission of Knox County, Tennessee amending the Fiscal Year 2009-2010 Knox County Budget to transfer the budget of the Knox County Audit Committee to the Knox County Department of Internal Audit.

* * * * *

Remove from the consent and add to the regular agenda R-09-8-401 Resolution of the Commission of Knox County, Tennessee approving a construction contract in the amount of \$128,100.50 with Knoxville Excavating, LLC for the Solway Waste Line Project.

* * * * *

Add to the agenda a presentation from Superintendent Dr. James P. McIntyre, Jr., Superintendent Knox County Schools.

* * * * *

Under Consideration of acceptance of new roads:

Charwood Way located in Hannah’s Grove Subdivision, District 7.

Mr. Bruce Wuethrich, Director, Engineering and Public Works, was present and stated acceptance of new road should read as follows: Charmwood Way.

* * * * *

Add to the consent agenda R-09-8-408 - Consideration of a Resolution of the Commission of Knox County, Tennessee accepting a total of \$3,750.00 in donations for the sponsorship of the Knox County Soil Conservation District Farmer’s Banquet.

* * * * *

IN RE: CONSENT ITEMS:

Tax Refunds:

No tax refunds received.

* * * * *

Notary Public Applications: 190 received

Commissioner Leuthold moved to approve the above consent items.

Commissioner Ivan Harmon seconded the motion and upon roll call vote Commissioners Strickland, Mark Harmon, Broyles, Norman, Ivan Harmon, Saunders, Shouse, Hammond, Leuthold, Briggs, Anders, Lambert, Smith, Carringer, Armstrong, Wright, Brown and Pinkston voted aye. The motion carried 18-0-0-1. Commissioner McKenzie was absent from the vote.

* * * * *

IN RE: EDUCATION CONSENT CALENDAR:

IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE APPROVING A GRANT AGREEMENT IN THE AMOUNT OF \$72,851.00 WITH THE TENNESSEE DEPARTMENT

OF LABOR AND WORKFORCE DEVELOPMENT FOR ENGLISH LITERACY AND CIVICS EDUCATION: R-09-8-201:

Consideration of a Resolution of the Commission of Knox County, Tennessee approving a grant agreement in the amount of \$72,851.00 with the Tennessee Department of Labor and Workforce Development for English Literacy and Civics Education was before the Board of Commissioners.

Commissioner Saunders moved to approve R-09-8-201 - Consideration of a Resolution of the Commission of Knox County, Tennessee approving a grant agreement in the amount of \$72,851.00 with the Tennessee Department of Labor and Workforce Development for English Literacy and Civics Education. Commissioner Ivan Harmon seconded the motion and upon roll call vote Commissioners Strickland, Mark Harmon, Broyles, Norman, Ivan Harmon, Saunders, Shouse, Hammond, Leuthold, Briggs, Anders, Lambert, Smith, Carringer, Armstrong, Wright, Brown and Pinkston voted aye. The motion carried 18-0-0-1. Commissioner McKenzie was absent from the vote.

* * * * *

IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE APPROVING THE FY 2009-2010 RENEWAL OF THE STUDENT ATHLETIC ACCIDENT INSURANCE POLICY IN THE AMOUNT OF \$152,915.00 WITH STARNET INSURANCE COMPANY: R-09-8-202:

Consideration of a Resolution of the Commission of Knox County, Tennessee approving the FY 2009-2010 renewal of the Student Athletic Accident Insurance Policy in the amount of \$152,915.00 with Starnet Insurance Company was before the Board of Commissioners.

Commissioner Saunders moved to approve R-09-8-202 -Consideration of a Resolution of the Commission of Knox County, Tennessee approving the FY 2009-2010 renewal of the Student Athletic Accident Insurance Policy in the amount of \$152,915.00 with Starnet Insurance Company. Commissioner Ivan Harmon seconded the motion and upon roll call vote Commissioners Strickland, Mark Harmon, Broyles, Norman, Ivan Harmon, Saunders, Shouse, Hammond, Leuthold, Briggs, Anders, Lambert, Smith, Carringer, Armstrong, Wright, Brown and Pinkston voted aye. The motion carried 18-0-0-1. Commissioner McKenzie was absent from the vote.

* * * * *

IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE APPROVING THE AWARDING OF INVITATION FOR BID #1010 FOR CARPET TILES AND ACCESSORIES TO MANNINGTON COMMERCIAL AND DPM ENTERPRISES INC. IN THE APPROXIMATE AMOUNT OF \$300,000.00: R-09-8-203:

Consideration of a Resolution of the Commission of Knox County, Tennessee approving the awarding of invitation for bid #1010 for carpet tiles and accessories to Mannington Commercial and DPM Enterprises Inc. in the approximate amount of \$300,000.00 was before the Board of Commissioners.

Commissioner Saunders moved to approve R-09-8-203 - Consideration of a Resolution of the Commission of Knox County, Tennessee approving the awarding of invitation for bid #1010 for carpet tiles and accessories to Mannington Commercial and DPM Enterprises Inc. in the approximate amount of \$300,000.00. Commissioner Ivan Harmon seconded the motion and upon roll call vote Commissioners Strickland, Mark Harmon, Broyles, Norman, Ivan Harmon, Saunders, Shouse, Hammond, Leuthold, Briggs, Anders, Lambert, Smith, Carringer, Armstrong, Wright, Brown and Pinkston voted aye. The motion carried 18-0-0-1. Commissioner McKenzie was absent from the vote.

* * * * *

IN RE: CONSENT CALENDAR:

IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE HONORING SARAH PRIESTLEY, SALUTATORIAN OF FULTON HIGH SCHOOL: R-0-9-8-102:

Consideration of a Resolution of the Commission of Knox County, Tennessee honoring Sarah Priestley, Salutatorian of Fulton High School was before the Board of Commissioners.

Commissioner Ivan Harmon moved to approve R-09-8-102 - Consideration of a Resolution of the Commission of Knox County, Tennessee honoring Sarah Priestley. Commissioner Saunders seconded the motion and upon roll call vote Commissioners Strickland, Mark Harmon, Broyles, Norman, Ivan Harmon, Saunders, Shouse, Hammond, Leuthold, Briggs, Anders, Lambert, Smith, Carringer, Armstrong, Wright, Brown and Pinkston voted aye. The motion carried 18-0-0-1. Commissioner McKenzie was absent from the vote.

* * * * *

IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE APPROVING A CONSTRUCTION CONTRACT IN THE AMOUNT OF \$168,368.69 WITH APAC-ATLANTIC, INC. FOR THE CONSTRUCTION OF AN OFFSITE DETENTION POND FOR ARROWHEAD SUBDIVISION: R-09-8-402:

Consideration of a Resolution of the Commission of Knox County, Tennessee approving a construction contract in the amount of \$168,368.69 with APAC-Atlantic, Inc. for the construction of an offsite detention pond for Arrowhead Subdivision was before the Board of Commissioners.

Commissioner Ivan Harmon moved to approve R-09-8-402 - Consideration of a Resolution of the Commission of Knox County, Tennessee approving a construction contract in the amount of \$168,368.69 with APAC-Atlantic, Inc. for the construction of an offsite detention pond for Arrowhead Subdivision. Commissioner Saunders seconded the motion and upon roll call vote Commissioners Strickland, Mark Harmon, Broyles, Norman, Ivan Harmon, Saunders, Shouse, Hammond, Leuthold, Briggs, Anders, Lambert, Smith, Carringer, Armstrong, Wright, Brown and Pinkston voted aye. The motion carried 18-0-0-1. Commissioner McKenzie was absent from the vote.

* * * * *

IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE TO APPROVE THE COVENANTS FOR PERMANENT MAINTENANCE OF STORMWATER FACILITIES AND BEST MANAGEMENT PRACTICES WITH COVERED BRIDGE, LLC FOR PROPERTY LOCATED AT 2490 COVERED BRIDGE BLVD.: R-09-8-403:

Consideration of a Resolution of the Commission of Knox County, Tennessee to approve the Covenants for Permanent Maintenance Of Stormwater Facilities and Best Management Practices with Covered Bridge, LLC for property located at 2490 Covered Bridge Blvd. was before the Board of Commissioners.

Commissioner Ivan Harmon moved to approve R-09-8-403 - Consideration of a Resolution of the Commission of Knox County, Tennessee to approve the Covenants for Permanent Maintenance Of Stormwater Facilities and Best Management Practices with Covered Bridge, LLC for property located at 2490 Covered Bridge Blvd. Commissioner Saunders seconded the motion and upon roll call vote Commissioners Strickland, Mark Harmon, Broyles, Norman, Ivan Harmon, Saunders, Shouse, Hammond, Leuthold, Briggs, Anders, Lambert, Smith, Carringer, Armstrong, Wright, Brown and Pinkston voted aye. The motion carried 18-0-0-1. Commissioner McKenzie was absent from the vote.

* * * * *

IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE APPROVING COVENANTS FOR PERMANENT MAINTENANCE OF STORMWATER FACILITIES AND BEST MANAGEMENT PRACTICES WITH HORSESHOE BEND #7, LLC FOR PROPERTY LOCATED AT 3081 HORSESHOE BEND LANE: R-09-8-404:

Consideration of a Resolution of the Commission of Knox County, Tennessee approving Covenants For Permanent Maintenance of Stormwater Facilities and Best Management practices with Horseshoe Bend #7, LLC for property located at 3081 Horseshoe Bend Lane was before the Board of Commissioners.

Commissioner Ivan Harmon moved to approve R-09-8-404 - Consideration of a Resolution of the Commission of Knox County, Tennessee approving Covenants For Permanent Maintenance of Stormwater Facilities and Best Management practices with Horseshoe Bend #7, LLC for property located at 3081 Horseshoe Bend Lane. Commissioner Saunders seconded the motion and upon roll call vote Commissioners Strickland, Mark Harmon, Broyles, Norman, Ivan Harmon, Saunders, Shouse, Hammond, Leuthold, Briggs, Anders, Lambert, Smith, Carringer, Armstrong, Wright, Brown and Pinkston voted aye. The motion carried 18-0-0-1. Commissioner McKenzie was absent from the vote.

* * * * *

IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE APPROVING COVENANTS FOR PERMANENT MAINTENANCE OF STORMWATER FACILITIES AND BEST MANAGEMENT PRACTICES WITH CMC PARTNERS FOR PROPERTY LOCATED AT 10215 KINGSTON PIKE: R-09-8-405:

Consideration of a Resolution of the Commission of Knox County, Tennessee approving Covenants for Permanent Maintenance of Stormwater Facilities and Best Management Practices with CMC Partners for property located at 10215 Kingston Pike was before the Board of Commissioners.

Commissioner Ivan Harmon moved to approve R-09-8-405 - Consideration of a Resolution of the Commission of Knox County, Tennessee approving Covenants for Permanent Maintenance of Stormwater Facilities and Best Management Practices with CMC Partners for property located at 10215 Kingston Pike. Commissioner Saunders seconded the motion and upon roll call vote Commissioners Strickland, Mark Harmon, Broyles, Norman, Ivan Harmon, Saunders, Shouse, Hammond, Leuthold, Briggs, Anders, Lambert, Smith, Carringer, Armstrong, Wright, Brown and Pinkston voted aye. The motion carried 18-0-0-1. Commissioner McKenzie was absent from the vote.

* * * * *

IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE APPROVING THE COVENANTS FOR PERMANENT MAINTENANCE OF STORMWATER FACILITIES AND BEST MANAGEMENT PRACTICES WITH FAIRFAX DEVELOPMENT, INC. FOR PROPERTY LOCATED AT 5828 TRESTLE WAY: R-09-8-406:

Consideration of a Resolution of the Commission of Knox County, Tennessee approving the Covenants for Permanent Maintenance of Stormwater Facilities and Best Management Practices with Fairfax Development, Inc. for property located at 5828 Trestle Way was before the Board of Commissioners.

Commissioner Ivan Harmon moved to approve R-09-8-406 -

Consideration of a Resolution of the Commission of Knox County, Tennessee approving the Covenants for Permanent Maintenance of Stormwater Facilities and Best Management Practices with Fairfax Development, Inc. for property located at 5828 Trestle Way. Commissioner Saunders seconded the motion and upon roll call vote Commissioners Strickland, Mark Harmon, Broyles, Norman, Ivan Harmon, Saunders, Shouse, Hammond, Leuthold, Briggs, Anders, Lambert, Smith, Carringer, Armstrong, Wright, Brown and Pinkston voted aye. The motion carried 18-0-0-1. Commissioner McKenzie was absent from the vote.

* * * * *

IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE APPROVING COVENANTS FOR PERMANENT MAINTENANCE OF STORMWATER FACILITIES AND BEST MANAGEMENT PRACTICES WITH SMITHBILT, LLC FOR PROPERTY LOCATED AT 6225 CATE ROAD: R-09-8-407:

Consideration of a Resolution of the Commission of Knox County, Tennessee approving Covenants for Permanent Maintenance of Stormwater Facilities and Best Management Practices with Smithbilt, LLC for property located at 6225 Cate Road was before the Board of Commissioners.

Commissioner Ivan Harmon moved to approve R-09-8-407 - Consideration of a Resolution of the Commission of Knox County, Tennessee approving Covenants for Permanent Maintenance of Stormwater Facilities and Best Management Practices with Smithbilt, LLC for property located at 6225 Cate Road. Commissioner Saunders seconded the motion and upon roll call vote Commissioners Strickland, Mark Harmon, Broyles, Norman, Ivan Harmon, Saunders, Shouse, Hammond, Leuthold, Briggs, Anders, Lambert, Smith, Carringer, Armstrong, Wright, Brown and Pinkston voted aye. The motion carried 18-0-0-1. Commissioner McKenzie was absent from the vote.

* * * * *

IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE ACCEPTING A TOTAL OF \$3,750.00 IN DONATIONS FOR THE SPONSORSHIP OF THE KNOX COUNTY SOIL CONSERVATION DISTRICT FARMER'S BANQUET: R-09-8-408:

Consideration of a Resolution of the Commission of Knox County, Tennessee accepting a total of \$3,750.00 in donations for the sponsorship of the Knox County Soil Conservation District Farmer's Banquet was before the Board of Commissioners.

Commissioner Ivan Harmon moved to approve R-09-8-408 - Consideration of a Resolution of the Commission of Knox County, Tennessee accepting a total of \$3,750.00 in donations for the sponsorship of the Knox County Soil Conservation District Farmer's Banquet. Commissioner Saunders seconded

the motion and upon roll call vote Commissioners Strickland, Mark Harmon, Broyles, Norman, Ivan Harmon, Saunders, Shouse, Hammond, Leuthold, Briggs, Anders, Lambert, Smith, Carringer, Armstrong, Wright, Brown and Pinkston voted aye. The motion carried 18-0-0-1. Commissioner McKenzie was absent from the vote.

* * * * *

IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE APPROVING KNOX COUNTY'S COMMUNITY DEVELOPMENT BLOCK GRANT – RECOVERY ACT (CDBG-R) SUBSTANTIAL AMENDMENT TO THE 2008 ANNUAL ACTION PLAN: R-09-8-501:

Consideration of a Resolution of the Commission of Knox County, Tennessee approving Knox County's Community Development Block Grant – Recovery Act (CDBG-R) substantial amendment to the 2008 Annual Action Plan was before the Board of Commissioners.

Commissioner Ivan Harmon moved to approve R-09-8-501 – Consideration of a Resolution of the Commission of Knox County, Tennessee approving Knox County's Community Development Block Grant – Recovery Act (CDBG-R) substantial amendment to the 2008 Annual Action Plan. Commissioner Saunders seconded the motion and upon roll call vote Commissioners Strickland, Mark Harmon, Broyles, Norman, Ivan Harmon, Saunders, Shouse, Hammond, Leuthold, Briggs, Anders, Lambert, Smith, Carringer, Armstrong, Wright, Brown and Pinkston voted aye. The motion carried 18-0-0-1. Commissioner McKenzie was absent from the vote.

* * * * *

IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE APPROVING A CONTRACT IN THE AMOUNT NOT TO EXCEED \$40,000.00 WITH COMMUNITY DEVELOPMENT SERVICES FOR A HOUSING CONSULTANT TO DEVELOP THE KNOX COUNTY CONSOLIDATED PLAN (2010-2015), PROVIDE AN ANALYSIS OF THE IMPEDIMENTS TO FAIR HOUSING, AND PROVIDE TECHNICAL SERVICES IN THE AREAS OF FINANCIAL FEASIBILITY, UNDERWRITING AND THE HOME, CDBG AND CDBG -R PROGRAMS: R-09-8-502:

Consideration of a Resolution of the Commission of Knox County, Tennessee approving a contract in the amount not to exceed \$40,000.00 with Community Development Services for a Housing Consultant to develop the Knox County Consolidated Plan (2010-2015), provide an analysis of the Impediments to Fair Housing, and provide technical services in the areas of financial feasibility,

underwriting and the HOME, CDBG and CDBG-R programs was before the Board of Commissioners.

Commissioner Ivan Harmon moved to approve R-09-8-502 - Consideration of a Resolution of the Commission of Knox County, Tennessee approving a contract in the amount not to exceed \$40,000.00 with Community Development Services for a Housing Consultant to develop the Knox County Consolidated Plan (2010-2015), provide an analysis of the Impediments to Fair Housing, and provide technical services in the areas of financial feasibility, underwriting and the HOME, CDBG and CDBG-R programs. Commissioner Saunders seconded the motion and upon roll call vote Commissioners Strickland, Mark Harmon, Broyles, Norman, Ivan Harmon, Saunders, Shouse, Hammond, Leuthold, Briggs, Anders, Lambert, Smith, Carringer, Armstrong, Wright, Brown and Pinkston voted aye. The motion carried 18-0-0-1. Commissioner McKenzie was absent from the vote.

* * * * *

IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE APPROVING A CONTRACT WITH QUANTUM ENVIRONMENTAL & ENGINEERING SERVICES, LLC TO PROVIDE THE ENVIRONMENTAL REVIEW SERVICES FOR THE KNOX COUNTY COMMUNITY DEVELOPMENT DEPARTMENT: R-09-8-503:

Consideration of a Resolution of the Commission of Knox County, Tennessee approving a contract with Quantum Environmental & Engineering Services, LLC to provide the Environmental Review Services for the Knox County Community Development Department was before the Board of Commissioners.

Commissioner Ivan Harmon moved to approve R-09-8-503 - Consideration of a Resolution of the Commission of Knox County, Tennessee approving a contract with Quantum Environmental & Engineering Services, LLC to provide the Environmental Review Services for the Knox County Community Development Department. Commissioner Saunders seconded the motion and upon roll call vote Commissioners Strickland, Mark Harmon, Broyles, Norman, Ivan Harmon, Saunders, Shouse, Hammond, Leuthold, Briggs, Anders, Lambert, Smith, Carringer, Armstrong, Wright, Brown and Pinkston voted aye. The motion carried 18-0-0-1. Commissioner McKenzie was absent from the vote.

* * * * *

IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE APPROVING A CONTRACT WITH S&ME, INC., FOR ENVIRONMENTAL REVIEW SERVICES FOR THE KNOX COUNTY COMMUNITY DEVELOPMENT DEPARTMENT: R-09-8-504:

Consideration of a Resolution of the Commission of Knox County, Tennessee approving a contract with S&ME, Inc., for Environmental Review

Services for the Knox County Community Development Department was before the Board of Commissioners.

Commissioner Ivan Harmon moved to approve R-09-8-504 - Consideration of a Resolution of the Commission of Knox County, Tennessee approving a contract with S&ME, Inc., for Environmental Review Services for the Knox County Community Development Department. Commissioner Saunders seconded the motion and upon roll call vote Commissioners Strickland, Mark Harmon, Broyles, Norman, Ivan Harmon, Saunders, Shouse, Hammond, Leuthold, Briggs, Anders, Lambert, Smith, Carringer, Armstrong, Wright, Brown and Pinkston voted aye. The motion carried 18-0-0-1. Commissioner McKenzie was absent from the vote.

* * * * *

IN RE: CONSIDERATION OF RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE APPROVING A CONTRACT WITH BLACKSHARE ENVIRONMENTAL SOLUTIONS, LLC FOR ENVIRONMENTAL REVIEW SERVICES FOR THE KNOX COUNTY COMMUNITY DEVELOPMENT DEPARTMENT: R-09-8-505:

Consideration of Resolution of the Commission of Knox County, Tennessee approving a contract with Blackshare Environmental Solutions, LLC for Environmental Review Services for the Knox County Community Development Department was before the Board of Commissioners.

Commissioner Ivan Harmon moved to approve R-09-8-505 - Consideration of Resolution of the Commission of Knox County, Tennessee approving a contract with Blackshare Environmental Solutions, LLC for Environmental Review Services for the Knox County Community Development Department. Commissioner Saunders seconded the motion and upon roll call vote Commissioners Strickland, Mark Harmon, Broyles, Norman, Ivan Harmon, Saunders, Shouse, Hammond, Leuthold, Briggs, Anders, Lambert, Smith, Carringer, Armstrong, Wright, Brown and Pinkston voted aye. The motion carried 18-0-0-1. Commissioner McKenzie was absent from the vote.

* * * * *

IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE APPROVING A CONTRACT WITH AMEC EARTH & ENVIRONMENTAL, INC. FOR ENVIRONMENTAL REVIEW SERVICES FOR THE KNOX COUNTY COMMUNITY DEVELOPMENT DEPARTMENT: R-09-8-506:

Consideration of a Resolution of the Commission of Knox County, Tennessee approving a contract with AMEC Earth & Environmental, Inc. for

Environmental Review Services for the Knox County Community Development Department was before the Board of Commissioners.

Commissioner Ivan Harmon moved to approve R-09-8-506 - Consideration of a Resolution of the Commission of Knox County, Tennessee approving a contract with AMEC Earth & Environmental, Inc. for Environmental Review Services for the Knox County Community Development Department. Commissioner Saunders seconded the motion and upon roll call vote Commissioners Strickland, Mark Harmon, Broyles, Norman, Ivan Harmon, Saunders, Shouse, Hammond, Leuthold, Briggs, Anders, Lambert, Smith, Carringer, Armstrong, Wright, Brown and Pinkston voted aye. The motion carried 18-0-0-1. Commissioner McKenzie was absent from the vote.

* * * * *

IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE APPROVING MEMORANDUM OF UNDERSTANDING AND AGREEMENT WITH THE KNOXVILLE/KNOX COUNTY COMMUNITY ACTION COMMITTEE (CAC) TO PROVIDE \$933,755 IN CDBG PROGRAM FUNDS FOR HOUSING REHABILITATION, HOUSING RECONSTRUCTION AND WATER/SEWER CONSTRUCTION SERVICES IN KNOX COUNTY: R-09-8-507:

Consideration of a Resolution of the Commission of Knox County, Tennessee approving Memorandum of Understanding and Agreement with the Knoxville/Knox County Community Action Committee (CAC) to provide \$933,755 in CDBG Program Funds for Housing Rehabilitation, Housing Reconstruction and Water/Sewer Construction Services in Knox County was before the Board of Commissioners.

Commissioner Ivan Harmon moved to approve R-09-8-507 - Consideration of a Resolution of the Commission of Knox County, Tennessee approving Memorandum of Understanding and Agreement with the Knoxville/Knox County Community Action Committee (CAC) to provide \$933,755 in CDBG Program Funds for Housing Rehabilitation, Housing Reconstruction and Water/Sewer Construction Services in Knox County. Commissioner Saunders seconded the motion and upon roll call vote Commissioners Strickland, Mark Harmon, Broyles, Norman, Ivan Harmon, Saunders, Shouse, Hammond, Leuthold, Briggs, Anders, Lambert, Smith, Carringer, Armstrong, Wright, Brown and Pinkston voted aye. The motion carried 18-0-0-1. Commissioner McKenzie was absent from the vote.

* * * * *

IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE APPROVING A GRANT AGREEMENT IN THE AMOUNT OF \$250,000.00 WITH THE TENNESSEE DEPARTMENT OF HEALTH FOR THE TENNESSEE ADOLESCENT PREGNANCY

PREVENTION PROGRAM (TAPPP) FOR THE PERIOD BEGINNING JULY 1, 2009 AND ENDING JUNE 30, 2014: R-09-8-601:

Consideration of a Resolution of the Commission of Knox County, Tennessee approving a Grant Agreement in the amount of \$250,000.00 with The Tennessee Department of Health for the Tennessee Adolescent Pregnancy Prevention Program (TAPPP) for the period beginning July 1, 2009 and ending June 30, 2014 was before the Board of Commissioners.

Commissioner Ivan Harmon moved to approve R-09-8-601 - Consideration of a Resolution of the Commission of Knox County, Tennessee approving a Grant Agreement in the amount of \$250,000.00 with The Tennessee Department of Health for the Tennessee Adolescent Pregnancy Prevention Program (TAPPP) for the period beginning July 1, 2009 and ending June 30, 2014. Commissioner Saunders seconded the motion and upon roll call vote Commissioners Strickland, Mark Harmon, Broyles, Norman, Ivan Harmon, Saunders, Shouse, Hammond, Leuthold, Briggs, Anders, Lambert, Smith, Carringer, Armstrong, Wright, Brown and Pinkston voted aye. The motion carried 18-0-0-1. Commissioner McKenzie was absent from the vote.

* * * * *

IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE APPROVING A GRANT AGREEMENT IN THE AMOUNT OF \$241,900.00 WITH THE TENNESSEE DEPARTMENT OF HEALTH FOR HELP US GROW SUCCESSFULLY (HUGS) PROGRAM SERVICES: R-09-8-602:

Consideration of a Resolution of the Commission of Knox County, Tennessee approving a Grant Agreement in the amount of \$241,900.00 with The Tennessee Department of Health for Help us Grow Successfully (HUGS) Program Services was before the Board of Commissioners.

Commissioner Ivan Harmon moved to approve R-09-8-602 - Consideration of a Resolution of the Commission of Knox County, Tennessee approving a Grant Agreement in the amount of \$241,900.00 with The Tennessee Department of Health for Help us Grow Successfully (HUGS) Program Services. Commissioner Saunders seconded the motion and upon roll call vote Commissioners Strickland, Mark Harmon, Broyles, Norman, Ivan Harmon, Saunders, Shouse, Hammond, Leuthold, Briggs, Anders, Lambert, Smith, Carringer, Armstrong, Wright, Brown and Pinkston voted aye. The motion carried 18-0-0-1. Commissioner McKenzie was absent from the vote.

* * * * *

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

IN THE AMOUNT OF \$61,500.00 WITH THE TENNESSEE, DEPARTMENT OF HEALTH AND FOR HEALTH PROMOTION SERVICES: R-09-8-603:

Consideration of a Resolution of the Commission of Knox County, Tennessee approving a Grant Agreement in the amount of \$61,500.00 with The Tennessee, Department of Health and for Health Promotion Services was before the Board of Commissioners.

Commissioner Ivan Harmon moved to approve R-09-8-603 - Consideration of a Resolution of the Commission of Knox County, Tennessee approving a Grant Agreement in the amount of \$61,500.00 with The Tennessee, Department of Health and for Health Promotion Services. Commissioners Saunders seconded the motion and upon roll call vote Commissioners Strickland, Mark Harmon, Broyles, Norman, Ivan Harmon, Saunders, Shouse, Hammond, Leuthold, Briggs, Anders, Lambert, Smith, Carringer, Armstrong, Wright, Brown and Pinkston voted aye. The motion carried 18-0-0-1. Commissioner McKenzie was absent from the vote.

* * * * *

IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE APPROVING AN AGREEMENT IN THE AMOUNT OF \$1,528.00 FOR THE CONVEYANCE OF A UTILITY EASEMENT AT 7140 ANDERSONVILLE PIKE, ALSO KNOWN AS HALLS GREENWAY PARK (CLT MAP 38, PARCEL 133.03) TO THE HALLSDALE-POWELL UTILITY DISTRICT: R-09-8-701:

Consideration of a Resolution of the Commission of Knox County, Tennessee approving an agreement in the amount of \$1,528.00 for the conveyance of a utility easement at 7140 Andersonville Pike, also known as Halls Greenway Park (CLT Map 38, Parcel 133.03) to the Hallsdale-Powell Utility District was before the Board of Commissioners.

Commissioner Ivan Harmon moved to approve R-09-8-701 - Consideration of a Resolution of the Commission of Knox County, Tennessee approving an agreement in the amount of \$1,528.00 for the conveyance of a utility easement at 7140 Andersonville Pike, also known as Halls Greenway Park (CLT Map 38, Parcel 133.03) to the Hallsdale-Powell Utility District. Commissioners Saunders seconded the motion and upon roll call vote Commissioners Strickland, Mark Harmon, Broyles, Norman, Ivan Harmon, Saunders, Shouse, Hammond, Leuthold, Briggs, Anders, Lambert, Smith, Carringer, Armstrong, Wright, Brown and Pinkston voted aye. The motion carried 18-0-0-1. Commissioner McKenzie was absent from the vote.

* * * * *

IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE APPROVING THE AMOUNTS DESIGNATED TO CLOSE FISCAL YEAR ENDED JUNE 30, 2009:

R-09-8-803:

Consideration of a Resolution of the Commission of Knox County, Tennessee approving the amounts designated to close fiscal year ended June 30, 2009 was before the Board of Commissioners.

Commissioner Ivan Harmon moved to approve R-09-8-803 - Consideration of a Resolution of the Commission of Knox County, Tennessee approving the amounts designated to close fiscal year ended June 30, 2009. Commissioners Saunders seconded the motion and upon roll call vote Commissioners Strickland, Mark Harmon, Broyles, Norman, Ivan Harmon, Saunders, Shouse, Hammond, Leuthold, Briggs, Anders, Lambert, Smith, Carringer, Armstrong, Wright, Brown and Pinkston voted aye. The motion carried 18-0-0-1. Commissioner McKenzie was absent from the vote.

* * * * *

IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE DECLARING PROPERTY LOCATED AT 0 VOLENA PLACE (CLT #095NB001) AS SURPLUS AND DETERMINING THE METHOD OF DISPOSAL OF SAID PROPERTY TO BE BY SEALED BID: R-09-8-805:

Consideration of a Resolution of the Commission of Knox County, Tennessee declaring property located at 0 Volena Place (CLT #095NB001) as surplus and determining the method of disposal of said property to be by sealed bid was before the Board of Commissioners.

Commissioner Ivan Harmon moved to approve R-09-8-805 - Consideration of a Resolution of the Commission of Knox County, Tennessee declaring property located at 0 Volena Place (CLT #095NB001) as surplus and determining the method of disposal of said property to be by sealed bid. Commissioners Saunders seconded the motion and upon roll call vote Commissioners Strickland, Mark Harmon, Broyles, Norman, Ivan Harmon, Saunders, Shouse, Hammond, Leuthold, Briggs, Anders, Lambert, Smith, Carringer, Armstrong, Wright, Brown and Pinkston voted aye. The motion carried 18-0-0-1. Commissioner McKenzie was absent from the vote.

* * * * *

IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE APPROVING A CONTRACT FOR FORMULA FUNDING FROM THE TENNESSEE DEPARTMENT OF LABOR AND WORKFORCE DEVELOPMENT TO PROVIDE EMPLOYMENT AND TRAINING SERVICES INCLUDING JOB TRAINING AND SUPPORTIVE SERVICES TO ADULTS IN KNOX COUNTY FOR THE PERIOD OF JULY 1, 2009 – JUNE 30, 2011: R-09-8-901:

Consideration of a Resolution of the Commission of Knox County, Tennessee approving a contract for formula funding from the Tennessee Department of Labor and Workforce Development to provide employment and training services including job training and supportive services to adults in Knox County for the period of July 1, 2009 – June 30, 2011 was before the Board of Commissioners.

Commissioner Ivan Harmon moved to approve R-09-8-901 - Consideration of a Resolution of the Commission of Knox County, Tennessee approving a contract for formula funding from the Tennessee Department of Labor and Workforce Development to provide employment and training services including job training and supportive services to adults in Knox County for the period of July 1, 2009 – June 30, 2011. Commissioner Saunders seconded the motion and upon roll call vote Commissioners Strickland, Mark Harmon, Broyles, Norman, Ivan Harmon, Saunders, Shouse, Hammond, Leuthold, Briggs, Anders, Lambert, Smith, Carringer, Armstrong, Wright, Brown and Pinkston voted aye. The motion carried 18-0-0-1. Commissioner McKenzie was absent from the vote.

* * * * *

IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE APPROVING A GRANT AGREEMENT (CONTRACT NUMBER: LW03P091DSLWK10) IN THE AMOUNT OF \$235,628.00 WITH THE TENNESSEE DEPARTMENT OF LABOR AND WORKFORCE DEVELOPMENT TO PROVIDE EMPLOYMENT, TRAINING AND SUPPORTIVE SERVICES INCLUDING JOB TRAINING AND SUPPORTIVE SERVICES TO DISLOCATED WORKERS IN KNOX COUNTY: R-09-8-902:

Consideration of a Resolution of the Commission of Knox County, Tennessee approving a grant agreement (contract number: LW03P091DSLWK10) in the amount of \$235,628.00 with the Tennessee Department of Labor and Workforce Development to provide employment, training and supportive services including job training and supportive services to dislocated workers in Knox County was before the Board of Commissioners.

Commissioner Ivan Harmon moved to approve R-09-8-902 - Consideration of a Resolution of the Commission of Knox County, Tennessee approving a grant agreement (contract number: LW03P091DSLWK10) in the amount of \$235,628.00 with the Tennessee Department of Labor and Workforce Development to provide employment, training and supportive services including job training and supportive services to dislocated workers in Knox County. Commissioner Saunders seconded the motion and upon roll call vote Commissioners Strickland, Mark Harmon, Broyles, Norman, Ivan Harmon, Saunders, Shouse, Hammond, Leuthold, Briggs, Anders, Lambert, Smith,

Carringer, Armstrong, Wright, Brown and Pinkston voted aye. The motion carried 18-0-0-1. Commissioner McKenzie was absent from the vote.

* * * * *

IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE REQUESTING KNOXVILLE'S COMMUNITY DEVELOPMENT CORPORATION (KCDC) TO OPERATE AS THE HOUSING AUTHORITY FOR KNOX COUNTY, APPROVING A PUBLIC HOUSING PLAN FOR CERTAIN EXISTING HOUSING PROJECTS IN KNOX COUNTY AND AUTHORIZING THE DISSOLUTION OF KNOX COUNTY HOUSING AUTHORITY: R-09-8-903:

Consideration of a Resolution of the Commission of Knox County, Tennessee requesting Knoxville's Community Development Corporation (KCDC) to operate as the Housing Authority for Knox County, approving a Public Housing Plan for certain existing housing projects in Knox County and authorizing the dissolution of Knox County Housing Authority was before the Board of Commissioners.

Commissioner Strickland stated by State Statute the Commission would have public comment on R-09-8-903 - Consideration of a Resolution of the Commission of Knox County, Tennessee requesting Knoxville's Community Development Corporation (KCDC) to operate as the Housing Authority for Knox County, approving a Public Housing Plan for certain existing housing projects in Knox County and authorizing the dissolution of Knox County Housing Authority.

Mr. Alvin Nance, Executive Director, Knoxville Community Development Corporation, was present and spoke on the matter.

Commissioner Ivan Harmon moved to approve R-09-8-903 - Consideration of a Resolution of the Commission of Knox County, Tennessee requesting Knoxville's Community Development Corporation (KCDC) to operate as the Housing Authority for Knox County, approving a Public Housing Plan for certain existing housing projects in Knox County and authorizing the dissolution of Knox County Housing Authority. Commissioner Saunders seconded the motion and upon roll call vote Commissioners Strickland, Mark Harmon, Broyles, Norman, Ivan Harmon, Saunders, Shouse, Hammond, Leuthold, Briggs, Anders, Lambert, Smith, Carringer, Armstrong, Wright, Brown and Pinkston voted aye. The motion carried 18-0-0-1. Commissioner McKenzie was absent from the vote.

* * * * *

IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE APPROVING AN AMENDMENT TO THE NORTHSIDE WATERFRONT REDEVELOPMENT AND URBAN RENEWAL PLAN AND PROVIDING TAX INCREMENT FINANCING: R-09-8-904:

Consideration of a Resolution of the Commission of Knox County, Tennessee approving an amendment to the Northside Waterfront Redevelopment and Urban Renewal Plan and providing tax increment financing was before the Board of Commissioners.

Commissioner Ivan Harmon moved to approve R-09-8-904 - Consideration of a Resolution of the Commission of Knox County, Tennessee approving an amendment to the Northside Waterfront Redevelopment and Urban Renewal Plan and providing tax increment financing. Commissioner Saunders seconded the motion and upon roll call vote Commissioners Strickland, Mark Harmon, Broyles, Norman, Ivan Harmon, Saunders, Shouse, Hammond, Leuthold, Briggs, Anders, Lambert, Smith, Carringer, Armstrong, Wright, Brown and Pinkston voted aye. The motion carried 18-0-0-1. Commissioner McKenzie was absent from the vote.

* * * * *

IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE APPROVING AN AMENDMENT TO THE GAY STREET REDEVELOPMENT AND URBAN RENEWAL PLAN AND PROVIDING TAX INCREMENT FINANCING: R-09-8-905: PLEASE NOTE: THE RESOLUTION SHOULD READ AS FOLLOWS:

IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE APPROVING AN AMENDMENT TO THE JACKSON/DEPOT REDEVELOPMENT AND URBAN RENEWAL PLAN AND PROVIDING TAX INCREMENT FINANCING FOR HARLOD'S BUILDING PROJECT LOCATED AT 131 S. GAY STREET: R-09-8-905:

Consideration of a Resolution of the Commission of Knox County, Tennessee approving an amendment to the Jackson/Depot Redevelopment and Urban Renewal Plan and providing tax increment financing for Harlod's building project located at 131 S. Gay Street was before the Board of Commissioners.

Mr. Don Peterson, KCDC, was present and spoke on the matter.

Commissioner Ivan Harmon moved to approve R-09-8-905 -Consideration of a Resolution of the Commission of Knox County, Tennessee approving an amendment to the Jackson/Depot Redevelopment and Urban Renewal Plan and providing tax increment financing for Harlod's building project located at 131 S. Gay Street. Commissioner Saunders seconded the motion and upon roll call vote Commissioners Strickland, Mark Harmon, Broyles, Norman, Ivan Harmon, Saunders, Shouse, Hammond, Leuthold, Briggs, Anders, Lambert, Smith, Carringer, Armstrong, Wright, Brown and Pinkston voted aye. The motion carried 18-0-0-1. Commissioner McKenzie was absent from the vote.

* * * * *

IN RE: CONSIDERATION OF ACCEPTANCE OF NEW ROAD:

Consideration of acceptance of new road was before the Board of Commissioners.

Charmwood Way located in Hannah’s Grove Subdivision, District 7.

Commissioner Ivan Harmon moved to approve Consideration of acceptance of new road. Commissioner Saunders seconded the motion and upon roll call vote Commissioners Strickland, Mark Harmon, Broyles, Norman, Ivan Harmon, Saunders, Shouse, Hammond, Leuthold, Briggs, Anders, Lambert, Smith, Carringer, Armstrong, Wright, Brown and Pinkston voted aye. The motion carried 18-0-0-1. Commissioner McKenzie was absent from the vote.

* * * * *

IN RE: AMENDMENT TO THE AGENDA:

Commissioner Leuthold moved to add, defer or withdraw all of the following items listed below regarding the agenda. Commissioner Ivan Harmon seconded the motion and upon roll call vote Commissioners Strickland, Mark Harmon, Broyles, Norman, Ivan Harmon, Saunders, Shouse, Hammond, Leuthold, Briggs, Anders, Lambert, Smith, Carringer, Armstrong, Wright, Brown and Pinkston voted aye. The motion carried 18-0-0-1. Commissioner McKenzie was absent from the vote.

Defer to the September Board of Commissioners R-09-8-702 -

Consideration of a Resolution of the Commission of Knox County, Tennessee approving the fourth amendment to the lease agreement for the US Cellular Soccer Complex and an operating agreement with FC Alliance for operation said Soccer Complex.

* * * * *

Defer to the September Board of Commissioners R-09-8-907- Consideration of a Resolution of the Commission of Knox County, Tennessee approving the Charter of the Knox County Audit Committee.

* * * * *

Add on first reading O-09-8-104 – Consideration of an Ordinance of the Commission of Knox County, Tennessee amending Knox County Code Chapter 18, Article I, in General, Section 18-1, Litigation Taxes, to increase the \$1.00 Privilege Tax levied on all cases before the Knox County General Sessions Court and Juvenile Courts Litigation to be used exclusively to support a local Victim-Offender Mediation Center or Centers in accordance with Public Chapter No. 495 of the Public Acts of 2009 (Ord. No. O-92-3-103, §§ 1-6, adopted 6-1-92; Ord. No. O-95-8-101, adopted 9-25-95; Ord. No. O-00-6-102 §§ 1-2, adopted 7-24-00; Ord. No.O-08-10-101, § 1, adopted 11-17-08) O-09-8-104: First Reading.

* * * * *

Add Discussion regarding returning the Internal Auditor's Budget to the Internal Auditor and placing the Internal Audit Department back under County Commission authority.

* * * * *

Add discussion regarding Knox County's Fiscal Year 20089-2009 budget.

* * * * *

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

Consideration of approval of minutes of the previous meeting on July 27, 2009 was before the Board of Commissioners.

Commissioner Saunders moved to approve the minutes of the previous meeting on July 27, 2009. Commissioner Smith seconded the motion and upon roll call vote Commissioners Strickland, Mark Harmon, Broyles, Norman, Ivan Harmon, Saunders, Shouse, Hammond, Leuthold, Briggs, Anders, Lambert, Smith, Carringer, Armstrong, Wright, Brown and Pinkston voted aye. The motion carried 18-0-0-1. Commissioner McKenzie was absent from the vote.

* * * * *

IN RE: ELECTIONS AND APPOINTMENTS:

IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE APPROVING THE APPOINTMENTS OF REPRESENTATIVE OF THE 6TH DISTRICT, AND REPRESENTATIVE OF THE 9TH DISTRICT, TO THE KNOX COUNTY LIBRARY ADVISORY BOARD: R-09-8-110:

Consideration of a Resolution of the Commission of Knox County, Tennessee approving the appointments of representative of the 6th District, and representative of the 9th District, to the Knox County Library Advisory Board was before the Board of Commissioners.

Commissioner Anders moved to defer to the September Board of Commissioners meeting the representative for the 6th District on approving the appointment of representative of the 6th District to the Knox County Library Advisory Board. Commissioner Lambert seconded the motion and upon roll call vote Commissioners Strickland, Mark Harmon, Broyles, Norman, Ivan Harmon, Saunders, Shouse, Hammond, Leuthold, Briggs, Anders, Lambert, Smith, Carringer, Armstrong, Wright, Brown and Pinkston voted aye. The motion carried 18-0-0-1. Commissioner McKenzie was absent from the vote.

Commissioner Pinkston moved to approve R-09-8-110 - Consideration of a Resolution of the Commission of Knox County, Tennessee approving the appointment of representative of the 9th District, to the Knox County Library Advisory Board. The name for the 9th District is Ms. Lavada Grissom. The

representative for the 6th District is deferred to the September Board of Commissioners meeting. Commissioner Brown seconded the motion and upon roll call vote Commissioners Strickland, Mark Harmon, Broyles, Norman, Ivan Harmon, Saunders, Shouse, Hammond, Leuthold, Briggs, Anders, Lambert, Smith, Carringer, Armstrong, Wright, Brown and Pinkston voted aye. The motion carried 18-0-0-1. Commissioner McKenzie was absent from the vote.

* * * * *

IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE REAPPOINTING WARDELL MILAN AND BILL TAYLOR TO THE KNOX COUNTY HEALTH INSURANCE APPEAL BOARD: R-09-8-111:

Consideration of a Resolution of the Commission of Knox County, Tennessee reappointing Wardell Milan and Bill Taylor to the Knox County Health Insurance Appeal Board was before the Board of Commissioners.

Commissioner Norman moved to approve R-09-8-111 - Consideration of a Resolution of the Commission of Knox County, Tennessee reappointing Wardell Milan and Bill Taylor to the Knox County Health Insurance Appeal Board. Commissioner Saunders seconded the motion and upon roll call vote Commissioners Strickland, Mark Harmon, Broyles, Norman, Ivan Harmon, Saunders, Shouse, Hammond, Leuthold, Briggs, Anders, Lambert, Smith, Carringer, Armstrong, Wright, Brown and Pinkston voted aye. The motion carried 18-0-0-1. Commissioner McKenzie was absent from the vote.

* * * * *

IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE CONFIRMING THE REAPPOINTMENT OF MARY ANN STACKHOUSE AS THE HEARING OFFICER FOR VIOLATIONS ASSOCIATED WITH THE ORDINANCE REGULATING SEXUALLY ORIENTED BUSINESSES WITHIN KNOX COUNTY: R-09-8-112:

Consideration of a Resolution of the Commission of Knox County, Tennessee confirming the reappointment of Mary Ann Stackhouse as the Hearing Officer for violations associated with the Ordinance regulating Sexually Oriented businesses within Knox County was before the Board of Commissioners.

Commissioner Norman moved to approve R-09-8-112 - Consideration of a Resolution of the Commission of Knox County, Tennessee confirming the reappointment of Mary Ann Stackhouse as the Hearing Officer for violations associated with the Ordinance regulating Sexually Oriented businesses within Knox County. Commissioner Saunders seconded the motion and upon roll call vote Commissioners Strickland, Mark Harmon, Broyles, Norman, Ivan Harmon, Saunders, Shouse, Hammond, Leuthold, Briggs, Anders, Lambert, Smith,

Carringer, Armstrong, Wright, Brown and Pinkston voted aye. The motion carried 18-0-0-1. Commissioner McKenzie was absent from the vote.

* * * * *

IN RE: DRIVES AND ROADS:

Consideration of closure of unnamed right way was before the Board of Commissioners. Property located on Hemp Lane, off of Washington Pike in the Eighth Commission District. Property owner: Union Baptist Church

Commissioner Norman moved to approve consideration of closure of unnamed right way. Property located on Hemp Lane, off of Washington Pike in the Eighth Commission District. Property owner: Union Baptist Church.

Commissioner Saunders seconded the motion and upon roll call vote Commissioners Strickland, Mark Harmon, Broyles, Norman, Ivan Harmon, Saunders, Shouse, Hammond, Leuthold, Briggs, Anders, Lambert, Smith, Carringer, Armstrong, Wright, Brown and Pinkston voted aye. The motion carried 18-0-0-1. Commissioner McKenzie was absent from the vote.

* * * * *

IN RE: AMENDMENT TO THE AGENDA:

At this time Dr. James P. McIntyre, Jr., Superintendent of Knox County Schools was present and spoke on the Five Year Strategic Plan for Knox County Schools.

No action was taken.

* * * * *

IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE MEMORIALIZING HENRY ELLENBERG: R-09-8-101:

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

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

The family was present to accept the Resolution.

Knox County Mayor, Mike Ragsdale presented the family with a Proclamation.

Mr. Ellenberg's daughter Pam was present and thanked the Commission for the Resolution.

Commissioner Norman moved to approve R-09-8-101 - Consideration of a Resolution of the Commission of Knox County, Tennessee memorializing Henry Ellenberg. Commissioner Saunders seconded the motion and upon roll call vote Commissioners Strickland, Mark Harmon, Broyles, Norman, Ivan Harmon, Saunders, Shouse, Hammond, Leuthold, Briggs, Anders, Lambert, Smith,

Carringer, Armstrong, Wright, Brown and Pinkston voted aye. The motion carried 18-0-0-1. Commissioner McKenzie was absent from the vote.

* * * * *

IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE HONORING RURAL/METRO DIVISION GENERAL MANAGER ROB WEBB: R-09-8-103:

Consideration of a Resolution of the Commission of Knox County, Tennessee honoring Rural/Metro Division General Manager Rob Webb was before the Board of Commissioners.

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

Mr. Mike Arms, Chief of Staff, was present and presented Mr. Webb with a Proclamation.

Mr. Rob Webb was present and thanked the Commission for the Resolution.

Commissioner Norman moved to approve R-09-8-103 – Consideration of a Resolution of the Commission of Knox County, Tennessee honoring Rural/Metro Division General Manager Rob Webb. Commissioner Saunders seconded the motion and upon roll call vote Commissioners Strickland, Mark Harmon, Broyles, Norman, Ivan Harmon, Saunders, Shouse, Hammond, Leuthold, Briggs, Anders, Lambert, Smith, Carringer, Armstrong, Wright, Brown and Pinkston voted aye. The motion carried 18-0-0-1. Commissioner McKenzie was absent from the vote.

* * * * *

IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE REQUESTING THAT KNOX COUNTY GOVERNMENT INSURE THAT EMPLOYEES WHO ARE ALSO NURSING MOTHERS WHO WISH TO CONTINUE BREAST-FEEDING AFTER RETURNING TO WORK ARE PROVIDED, AT COUNTY EXPENSE, A CLEAN, CONVENIENT, COMFORTABLE AND PRIVATE LOCATION TO EXPRESS MILK AT THE WORK SITE AS WELL AS BE PROVIDED WITH ADEQUATE BREAK TIME IN WHICH TO DO SO, FREE OF HARASSMENT AS WELL AS PERMITTING A NURSING MOTHER TO BREASTFEED HER CHILD IN ANY LOCATION, PUBLIC OR PRIVATE, AS AUTHORIZED BY LAW, AS WELL AS SUPPORT H.R. 2819, S. 1244, THE BREAST FEEDING PROMOTION ACT CURRENTLY PENDING IN THE UNITED STATES CONGRESS: R-09-8-906:

Consideration of a Resolution of the Commission of Knox County, Tennessee requesting that Knox County Government insure that employees who are also nursing mothers who wish to continue breast-feeding after returning to work are provided, at county expense, a clean, convenient, comfortable and private

location to express milk at the work site as well as be provided with adequate break time in which to do so, free of Harassment as well as permitting a nursing mother to breastfeed her child in any location, public or private, as authorized by law, as well as support H.R. 2819, S. 1244, the Breast Feeding Promotion Act currently pending in the United States Congress was before the Board of Commissioners.

Ms. Sherry Hubbard, Registered Nurse, Co-Chair of the East Tennessee Breast Feeding Coalition, was present and spoke on the matter.

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

Commissioner Norman moved to approve R-09-8-906 - Consideration of a Resolution of the Commission of Knox County, Tennessee requesting that Knox County Government insure that employees who are also nursing mothers who wish to continue breast-feeding after returning to work are provided, at county expense, a clean, convenient, comfortable and private location to express milk at the work site as well as be provided with adequate break time in which to do so, free of Harassment as well as permitting a nursing mother to breastfeed her child in any location, public or private, as authorized by law, as well as support H.R. 2819, S. 1244, the Breast Feeding Promotion Act currently pending in the United States Congress with the following amendment: Add the following: Knox County Facilities as needed. Commissioner Saunders seconded the motion and upon roll call vote Commissioners Strickland, Mark Harmon, Broyles, Norman, Ivan Harmon, Saunders, Shouse, Hammond, Leuthold, Briggs, Anders, Lambert, Smith, Carringer, Armstrong, Wright, Brown and Pinkston voted aye. The motion carried 18-0-0-1. Commissioner McKenzie was absent from the vote.

* * * * *

IN RE: AMENDMENT TO THE AGENDA:

Without objection, Commissioner Strickland heard Presentation regarding Flu Vaccinations next on the agenda.

* * * * *

IN RE: PRESENTATION REGARDING FLU VACCINATIONS:

Presentation regarding flu vaccinations was before the Board of Commissioners.

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

No action was taken.

* * * * *

IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE ADOPTING A CERTIFIED TAX RATE FOR THE FORKS OF THE RIVER INDUSTRIAL PARK FIRE DISTRICT FOR FISCAL YEAR 2009-2010:R-09-8-802:

Consideration of a Resolution of the Commission of Knox County, Tennessee adopting a Certified Tax Rate for the Forks of the River Industrial Park Fire District for fiscal year 2009-2010 was before the Board of Commissioners.

Commissioner Armstrong moved to defer to the September Board of Commissioners meeting R-09-8-802 - Consideration of a Resolution of the Commission of Knox County, Tennessee adopting a Certified Tax Rate for the Forks of the River Industrial Park Fire District for fiscal year 2009-2010. Commissioner Carringer seconded the motion and upon roll call vote Commissioners Strickland, Mark Harmon, Broyles, Norman, Ivan Harmon, Saunders, Shouse, Hammond, Leuthold, Briggs, Anders, Lambert, Smith, Carringer, Armstrong, Wright, Brown and Pinkston voted aye. The motion carried 18-0-0-1. Commissioner McKenzie was absent from the vote.

* * * * *

IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE APPROVING A CONTRACT WITH RURAL METRO IN THE AMOUNT OF \$807,206.00 TO PROVIDE FIRE PROTECTION SERVICES FOR THE FORKS OF THE RIVER INDUSTRIAL PARK FOR A THREE (3) YEAR TERM BEGINNING AUGUST 1, 2009 AND ENDING JULY 31, 2012: R-09-8-804:

Consideration of a Resolution of the Commission of Knox County, Tennessee approving a contract with Rural Metro in the amount of \$807,206.00 to provide Fire Protection Services for the Forks of the River Industrial park for a three (3) year term beginning August 1, 2009 and ending July 31, 2012 was before the Board of Commissioners.

Commissioner Armstrong moved to defer to the September Board of Commissioners meeting R-09-8-804 - Consideration of a Resolution of the Commission of Knox County, Tennessee approving a contract with Rural Metro in the amount of \$807,206.00 to provide Fire Protection Services for the Forks of the River Industrial park for a three (3) year term beginning August 1, 2009 and ending July 31, 2012. Commissioner Carringer seconded the motion and upon roll call vote Commissioners Strickland, Mark Harmon, Broyles, Norman, Ivan Harmon, Saunders, Shouse, Hammond, Leuthold, Briggs, Anders, Lambert, Smith, Carringer, Armstrong, Wright, Brown and Pinkston voted aye. The motion carried 18-0-0-1. Commissioner McKenzie was absent from the vote.

* * * * *

IN RE: AMENDMENT TO THE AGENDA:

Commissioner Leuthold moved to add the following Resolution to the agenda R-09-8-911 – Consideration of a Resolution of the Commission of Knox County, Tennessee approving the Third Amendment to the Lease Agreement between The Westminster Regency, LLC and the Knox County Drug Court.

Commissioner Ivan Harmon seconded the motion and upon roll call vote Commissioners Strickland, Mark Harmon, Broyles, Norman, Ivan Harmon, Saunders, Shouse, Hammond, Leuthold, Briggs, Anders, Lambert, Smith, Carringer, Armstrong, Wright, Brown and Pinkston voted aye. The motion carried 18-0-0-1. Commissioner McKenzie was absent from the vote.

* * * * *

IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE APPROVING THE THIRD AMENDMENT TO THE LEASE AGREEMENT BETWEEN THE WESTMINSTER REGENCY, LLC AND THE KNOX COUNTY DRUG COURT: R-09-8-911:

Consideration of a Resolution of the Commission of Knox County, Tennessee approving the Third Amendment to the Lease Agreement between The Westminster Regency, LLC and the Knox County Drug Court was before the Board of Commissioners.

Mr. Lee Tramel, Knox County Sheriff's Department, was present and spoke on the matter.

Commissioner Norman moved to approve R-09-8-911 - Consideration of a Resolution of the Commission of Knox County, Tennessee approving the Third Amendment to the Lease Agreement between The Westminster Regency, LLC and the Knox County Drug Court. Commissioner Ivan Harmon seconded the motion and upon roll call vote Commissioners Strickland, Mark Harmon, Broyles, Norman, Ivan Harmon, Saunders, Shouse, Hammond, Leuthold, Briggs, Anders, Lambert, Smith, Carringer, Armstrong, Wright, Brown and Pinkston voted aye. The motion carried 18-0-0-1. Commissioner McKenzie was absent from the vote.

* * * * *

IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE APPROVING THE REORGANIZATION OF THE OFFICE OF PRE-TRIAL AND PROBATION BY TRANSFERRING THE PERSONNEL, DUTIES, RESPONSIBILITIES AND FUNDING OF THE PRE-TRIAL SECTION OF SAID OFFICE FROM THE KNOX COUNTY MAYOR'S OFFICE TO THE KNOX COUNTY SHERIFF'S OFFICE: R-09-8-908:

Consideration of a Resolution of the Commission of Knox County, Tennessee approving the reorganization of the Office of Pre-Trial and Probation by transferring the personnel, duties, responsibilities and funding of the Pre-trial section of said office from the Knox County Mayor's office to the Knox County Sheriff's Office was before the Board of Commissioners.

Mr. Mike Arms, Chief of Staff, Knox County Mayor's Office, was present and spoke on the matter.

Commissioner Norman moved to approve R-09-8-908 - Consideration of a Resolution of the Commission of Knox County, Tennessee approving the reorganization of the Office of Pre-Trial and Probation by transferring the personnel, duties, responsibilities and funding of the Pre-trial section of said office from the Knox County Mayor's office to the Knox County Sheriff's Office. Commissioner Broyles seconded the motion and upon roll call vote Commissioners Strickland, McKenzie, Broyles, Norman, Ivan Harmon, Saunders, Shouse, Hammond, Leuthold, Briggs, Anders, Lambert, Smith, Carringer, Armstrong, Wright and Brown voted aye. The motion carried 17-2-0-0. Commissioners Mark Harmon and Pinkston voted no.

* * * * *

IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE APPROVING A CONSTRUCTION CONTRACT IN THE AMOUNT OF \$128,100.50 WITH KNOXVILLE EXCAVATING, LLC. FOR THE SOLWAY WASTE LINE PROJECT: R-09-8-401:

Consideration of a Resolution of the Commission of Knox County, Tennessee approving a construction contract in the amount of \$128,100.50 with Knoxville Excavating, LLC. for the Solway Waste Line Project was before the Board of Commissioners.

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

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

Commissioner Norman moved to approve R-09-8-401 - Consideration of a Resolution of the Commission of Knox County, Tennessee approving a construction contract in the amount of \$128,100.50 with Knoxville Excavating, LLC. for the Solway Waste Line Project. Commissioner Saunders seconded the motion and upon roll call vote Commissioners Strickland, McKenzie, Mark Harmon, Broyles, Norman, Ivan Harmon, Saunders, Shouse, Hammond, Leuthold, Briggs, Anders, Lambert, Smith, Carringer, Armstrong, Wright, Brown 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 NEW CERTIFIED TAX RATE BASED ON THE REAPPRAISAL AND ESTABLISHING AN OFFICIAL TAX RATE FOR FISCAL YEAR 2009-2010:R-09-8-801:

Consideration of a Resolution of the Commission of Knox County, Tennessee accepting the new Certified Tax Rate based on the reappraisal and establishing an official tax rate for fiscal year 2009-2010 was before the Board of Commissioners.

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

Commissioner Norman moved to approve with the following amendment on R-09-8-801 - change from \$2.35 to \$2.36, Debt Service 31¢, General 97¢, Schools \$1.08

RESOLUTION

**A RESOLUTION OF THE COMMISSION
OF KNOX COUNTY, TENNESSEE,
ACCEPTING THE NEW CERTIFIED
TAX RATE BASED ON THE REAPPRAISAL
AND ESTABLISHING AN OFFICIAL TAX RATE
FOR FISCAL YEAR 2009-2010.**

RESOLUTION: R-09-8-801

REQUESTED BY: FINANCE

**PREPARED BY: KNOX COUNTY LAW
DIRECTOR'S OFFICE**

**APPROVED AS TO FORM
AND CORRECTNESS: _____
CHIEF DEPUTY
DIRECTOR OF LAW**

**APPROVED: _____
DATE**

**VETOED: _____
DATE**

**VETO OVERRIDE:

DATE**

**MINUTE
BOOK _____ PAGE _____**

WHEREAS, pursuant to Article II, Section 2.01 of the Charter of Knox County, Tennessee, the Commission of Knox County, as the Legislative Body of Knox County, Tennessee, is vested with the authority and responsibility to adopt and amend the county budget, to fix county tax rates, and to appropriate county funds for any and all lawful purposes; and

WHEREAS, on May 26, 2009, the Knox County Commission adopted a consolidated budget and set tax rates based on the tax rate in effect at that time; and

WHEREAS, in accordance with State statutes and procedure, Knox County has recently undergone a reappraisal process; and

WHEREAS, as part of this process, it is necessary to adopt a certified tax rate which is designed to make the reappraisal process revenue neutral; and

WHEREAS, the Knox County Property Assessor has now completed the reappraisal calculations and has arrived at a new tax rate based on the reappraisal.

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

The Knox County Commission hereby accepts the new tax rate certified by the Knox County Property Assessor to be 2.36, based on the just completed countywide reappraisal.

BE IT FURTHER RESOLVED, that the Knox County Tax Rates for the fiscal year beginning July 1, 2009 and ending June 30, 2010, previously adopted by the Knox County Commission on May 26, 2009 by Resolution R-09-5-803, are hereby amended and levied as follows:

Property Taxes:

General Fund	\$ <u>.97</u>
Schools General Purpose	<u>1.08</u>
General Debt Service	<u>.31</u>
Total	<u>\$2.36</u>

Other Taxes:

Hotel-Motel Tax	<u>5%</u>
Amusement Tax	<u>5%</u>
Marriage Licenses	<u>\$45.00</u>

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

BE IT FURTHER RESOLVED, that this Resolution be spread on the minutes of the Commission of Knox County, Tennessee.

BE IT FURTHER RESOLVED, that this Resolution shall take effect as provided by the Charter of Knox County, Tennessee, the public welfare requiring it.

Presiding Officer of the Commission
Date

County Clerk
Date

Approved:

County Mayor
Date

Vetoed:

County Mayor

Date

Commissioner Anders seconded the motion and upon roll call vote Commissioners Strickland, McKenzie, Mark Harmon, Broyles, Norman, Ivan Harmon, Saunders, Shouse, Hammond, Leuthold, Briggs, Anders, Lambert, Smith, Carringer, Armstrong, Wright, Brown 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 IN THE AMOUNT NOT TO EXCEED \$145,000.00 WITH KPMG, LLP FOR PROFESSIONAL AUDITING SERVICES RELATED TO PAYROLL PROCESSING PROCEDURES AND APPROPRIATING \$145,000.00 FOR SAID CONTRACT: R-09-8-806:

Consideration of a Resolution of the Commission of Knox County, Tennessee approving a contract in the amount not to exceed \$145,000.00 with KPMG, LLP for Professional Auditing Services related to Payroll Processing Procedures and appropriating \$145,000.00 for said contract was before the Board of Commissioners.

Mr. Mike Reeves, Knox County Purchasing, was present and spoke on the matter.

Commissioner Saunders moved to approve R-09-8-806 - Consideration of a Resolution of the Commission of Knox County, Tennessee approving a contract in the amount not to exceed \$145,000.00 with KPMG, LLP for Professional Auditing Services related to Payroll Processing Procedures and appropriating \$145,000.00 for said contract. Commissioner Norman seconded the motion and upon roll call vote Commissioners Strickland, McKenzie, Mark Harmon, Broyles, Norman, Ivan Harmon, Saunders, Shouse, Hammond, Leuthold, Briggs, Anders, Lambert, Smith, Carringer, Armstrong, Wright, Brown 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 KNOX COUNTY COMMISSION RULES REGARDING PUBLIC FORUM: R-09-8-909:

Consideration of a Resolution of the Commission of Knox County, Tennessee amending the Knox County Commission Rules regarding Public Forum was before the Board of Commissioners.

Commissioner Ivan Harmon moved to approve R-09-8-909 - Consideration of a Resolution of the Commission of Knox County, Tennessee amending the Knox County Commission Rules regarding Public Forum. Commissioner Anders seconded the motion and upon roll call vote Commissioners Strickland, McKenzie, Mark Harmon, Broyles, Norman, Ivan Harmon, Saunders, Shouse, Hammond, Leuthold, Briggs, Anders, Lambert, Smith, Carringer, Armstrong, Wright, Brown 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 FISCAL YEAR 2009-2010 KNOX COUNTY BUDGET TO TRANSFER THE BUDGET OF THE KNOX COUNTY AUDIT COMMITTEE TO THE KNOX COUNTY DEPARTMENT OF INTERNAL AUDIT: R-09-8-910:

Consideration of a Resolution of the Commission of Knox County, Tennessee amending the Fiscal Year 2009-2010 Knox County Budget to transfer the budget of the Knox County Audit Committee to the Knox County Department of Internal Audit was before the Board of Commissioners.

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

Mr. Richard Walls, Knox County Internal Auditor, was present and spoke on the matter.

Commissioner Pinkston moved to approve R-09-8-910 -Consideration of a Resolution of the Commission of Knox County, Tennessee amending the Fiscal Year 2009-2010 Knox County Budget to transfer the budget of the Knox County Audit Committee to the Knox County Department of Internal Audit with the following amendment:

Approve \$21,300.59 for Full time regular employee

Approve \$1,000.00 for Employee Travel, Educational Training Development.

TOTAL \$22,300.59

Commissioner Anders seconded the motion and upon roll call vote Commissioners Strickland, McKenzie, Mark Harmon, Broyles, Norman, Ivan Harmon, Saunders, Shouse, Hammond, Leuthold, Briggs, Anders,

Lambert, Smith, Carringer, Armstrong, Wright, Brown and Pinkston voted aye. The motion carried 19-0-0-0.

* * * * *

IN RE: PUBLIC FORUM:

Mr. Richard Swann concerned resident was present and spoke on speed humps.

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

Ms. Renee Phillips, concerned resident was present and spoke on speed humps.

No action was taken.

* * * * *

IN RE: ROLL CALL: ZONING REQUESTS:

Those present were Commissioners Strickland, McKenzie, Mark Harmon, Broyles, Norman, Ivan Harmon, Saunders, Shouse, Hammond, Leuthold, Briggs, Anders, Lambert, Smith, Carringer, Armstrong, Wright, Brown and Pinkston.

* * * * *

Request of Kalea Derry for North County Sector Plan Amendment from AG/RR (Agricultural/Rural Residential) to LDR (Low Density Residential) 7-A-09-SP was before the Board of Commissioners. Property located south side Andersonville Pike, west of Eiffel Lane. 8th Commission District.

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

Ms. Kalea Derry, applicant, was present and spoke on behalf of the request.

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

Commissioner Wright moved to approve 7-A-09-SP Request of Kalea Derry for North County Sector Plan Amendment from AG/RR (Agricultural/Rural Residential) to LDR (Low Density Residential) as per Metropolitan Planning Commission's Recommendation: Approve Resolution #7-A-09-SP amending the Knox County Sector Plan to LDR (Low Density Residential) and Recommend the Knox County Commission adopt by Resolution the amendment. Commissioner Armstrong seconded the motion and upon roll call vote Commissioners Strickland, McKenzie, Broyles, Norman, Ivan Harmon, Saunders, Shouse, Hammond, Leuthold, Briggs, Anders, Lambert, Smith, Carringer, Armstrong, Wright, Brown and Pinkston voted aye. The motion carried 18-1-0-0. Commissioner Mark

Harmon voted no. Property located south side Andersonville Pike, west of Eiffel Lane. 8th Commission District.

* * * * *

Request for Kalea Derry and rezoning from A (Agricultural) to RA (Low Density Residential) 7-B-09-RZ was before the Board of Commissioners. Property located south side Andersonville Pike, west of Eiffel Lane. 8th Commission District.

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

Ms. Kalea Derry, applicant, was present and spoke on behalf of the request.

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

Commissioner Wright moved to approve 7-B-09-RZ - Request for Kalea Derry and rezoning from A (Agricultural) to RA (Low Density Residential) as per Metropolitan Planning Commission's Recommendation: Recommend the Knox County Commission approve PR (Planned Residential) zoning at a density up to 2 dwelling units per acre, consistent with the amended North County Sector Plan. Commissioner Armstrong seconded the motion and upon roll call vote Commissioners Strickland, McKenzie, Broyles, Norman, Ivan Harmon, Saunders, Shouse, Hammond, Leuthold, Briggs, Anders, Lambert, Smith, Carringer, Armstrong, Wright, Brown and Pinkston voted aye. The motion carried 18-1-0-0.

Commissioner Mark Harmon voted no. Property located south side Andersonville Pike, west of Eiffel Lane. 8th Commission District.

* * * * *

Request of Frankie Atkins for rezoning from A (Agricultural) to CA (General Business) 7-C-09-RZ was before the Board of Commissioners. Property located west side Tazewell Pike, north of E. Emory Road. 8th Commission District.

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

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

Commissioner Wright moved to approve 7-C-09-RZ - Request of Frankie Atkins for rezoning from A (Agricultural) to CA (General Business) as per Metropolitan Planning Commission's Recommendation: Recommend the Knox County Commission approve CA (General Business) zoning consistent with the current Sector Plan. Commissioner Armstrong seconded the motion and upon roll call vote Commissioners Strickland, McKenzie,

Mark Harmon, Broyles, Norman, Ivan Harmon, Saunders, Shouse, Hammond, Leuthold, Briggs, Anders, Lambert, Smith, Carringer, Armstrong, Wright, Brown and Pinkston voted aye. The motion carried 19-0-0-0. Property located west side Tazewell Pike, north of E. Emory Road. 8th Commission District.

* * * * *

IN RE: PUBLIC FORUM:

Mr. Brad Mays, concerned citizen spoke on the Halls Greenwaste money.

Mr. Dwight VandeVate, Director, Governmental Affairs, was present and spoke on the matter.

No action was taken.

* * * * *

IN RE: ORDINANCES ON FIRST READING:

IN RE: CONSIDERATION OF AN ORDINANCE OF THE COMMISSION OF KNOX COUNTY, TENNESSEE AMENDING ORDINANCE O-09-3-107, REGARDING THE ADOPTION OF BEER LAWS FOR KNOX COUNTY TO PROVIDE FOR THE REVOCATION OF BEER PERMITS FOR FAILURE TO PAY COUNTY BUSINESS TAXES (ORD. NO. O-09-3-107, ADOPTED 4-27-09 FIRST READING: O-09-8-101:

Consideration of an Ordinance of the Commission of Knox County, Tennessee amending Ordinance O-09-3-107, regarding the adoption of Beer Laws for Knox County to provide for the revocation of beer permits for failure to pay county business taxes (Ord. No. O-09-3-107, adopted 4-27-09) was before the Board of Commissioners on first reading.

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

Commissioner Norman moved to approve O-09-8-101 - Consideration of an Ordinance of the Commission of Knox County, Tennessee amending Ordinance O-09-3-107, regarding the adoption of Beer Laws for Knox County to provide for the revocation of beer permits for failure to pay county business taxes (Ord. No. O-09-3-107, adopted 4-27-09) on first reading. Commissioner Leuthold seconded the motion and upon roll call vote Commissioners Strickland, McKenzie, Mark Harmon, Broyles, Norman, Ivan Harmon, Saunders, Shouse, Hammond, Leuthold, Briggs, Anders, Smith, Carringer, Armstrong, Wright, Brown and Pinkston voted aye. The motion carried 18-0-0-1. Commissioner Lambert was absent from the vote.

* * * * *

IN RE: CONSIDERATION OF AN ORDINANCE OF KNOX COUNTY, TENNESSEE AMENDING KNOX COUNTY CODE CHAPTER 2, ARTICLE I, SECTION 2-5, NEPOTISM, BY ADDING A PROVISION TO EXPAND THE NEPOTISM POLICY TO APPLY TO COUNTY EMPLOYEES (ORD. NO. O-08-5-102, § 1, ADOPTED 6-23-08) O-09-8-102: FIRST READING:

Consideration of an Ordinance of Knox County, Tennessee amending Knox County Code Chapter 2, Article I, Section 2-5, Nepotism, by adding a provision to expand the Nepotism Policy to apply to County Employees (Ord. No. O-08-5-102, § 1, adopted 6-23-08) was before the Board of Commissioners on first reading.

Commissioner Norman moved to approve O-09-8-102 - Consideration of an Ordinance of Knox County, Tennessee amending Knox County Code Chapter 2, Article I, Section 2-5, Nepotism, by adding a provision to expand the Nepotism Policy to apply to County Employees (Ord. No. O-08-5-102, § 1, adopted 6-23-08) on first reading. Commissioner Leuthold seconded the motion and upon roll call vote Commissioners Strickland, McKenzie, Mark Harmon, Broyles, Norman, Ivan Harmon, Saunders, Shouse, Hammond, Leuthold, Briggs, Anders, Smith, Carringer, Armstrong, Wright, Brown and Pinkston voted aye. The motion carried 18-0-0-1. Commissioner Lambert was absent from the vote.

* * * * *

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

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

Ms. Sue Mouer, President, Crestwood Homeowners Association, was present and spoke on the matter.

Mr. Greg Mackay, Administrator of Elections, was present and spoke on the matter.

Mr. Rick Emmett, Chairman, Redistricting Committee, was present and spoke on the matter.

Commissioner Ivan Harmon moved to approve O-09-8-103 Plan 3-A Consideration of an Ordinance of the Commission of Knox County, Tennessee amending Knox County Code, Section 2-31, Districts, to establish the County Commission Districts for the County of Knox (Ord. No. O-91-11-104, adopted 12-16-91; Ord No. O-01-7-103, adopted 8-27-01) on first reading. Commissioner Smith seconded the motion and upon roll call vote Commissioners Strickland, McKenzie, Norman, Ivan Harmon, Saunders, Shouse, Briggs, Anders, Lambert, Smith, Carringer, Armstrong, Wright and Pinkston voted aye. Commissioners Mark Harmon, Broyles, Hammond and Leuthold voted no. The motion carried 14-4-0-1. Commissioner Brown was absent from the vote.

* * * * *

IN RE: CONSIDERATION OF AN ORDINANCE OF THE COMMISSION OF KNOX COUNTY, TENNESSEE AMENDING KNOX COUNTY CODE CHAPTER 18, ARTICLE I, IN GENERAL, SECTION 18-1, LITIGATION TAXES, TO INCREASE THE \$1.00 PRIVILEGE TAX LEVIED ON ALL CASES BEFORE THE KNOX COUNTY GENERAL SESSIONS COURT AND JUVENILE COURTS LITIGATION TO BE USED EXCLUSIVELY TO SUPPORT A LOCAL VICTIM-OFFENDER MEDIATION CENTER OR CENTERS IN ACCORDANCE WITH PUBLIC CHAPTER NO. 495 OF THE PUBLIC ACTS OF 2009 (ORD. NO. O-92-3-103, §§ 1-6, ADOPTED 6-1-92; ORD. NO. O-95-8-101, ADOPTED 9-25-95; ORD. NO. O-00-6-102 §§ 1-2, ADOPTED 7-24-00; ORD. NO. O-08-10-101, § 1, ADOPTED 11-17-08) O-09-8-104: FIRST READING.

Consideration of an Ordinance of the Commission of Knox County, Tennessee amending Knox County Code Chapter 18, Article I, in General, Section 18-1, Litigation Taxes, to increase the \$1.00 Privilege Tax levied on all cases before the Knox County General Sessions Court and Juvenile Courts Litigation to be used exclusively to support a local Victim-Offender Mediation Center or Centers in accordance with Public Chapter No. 495 of the Public Acts of 2009 (Ord. No. O-92-3-103, §§ 1-6, adopted 6-1-92; Ord. No. O-95-8-101, adopted 9-25-95; Ord. No. O-00-6-102 §§ 1-2 adopted 7-24-00; Ord. No. O-08-10-101, § 1, adopted 11-17-08) O-09-8-104 was before the Board of Commissioners on first reading.

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

Commissioner Norman moved to approve O-09-8-104 -

Consideration of an Ordinance of the Commission of Knox County, Tennessee amending Knox County Code Chapter 18, Article I, in General, Section 18-1, Litigation Taxes, to increase the \$1.00 Privilege Tax levied on all cases before the Knox County General Sessions Court and Juvenile Courts Litigation to be used exclusively to support a local Victim-Offender Mediation Center or Centers in accordance with Public Chapter No. 495 of the Public Acts of 2009 (Ord. No. O-92-3-103, §§ 1-6, adopted 6-1-92; Ord. No. O-95-8-101, adopted 9-25-95; Ord. No. O-00-6-102 §§ 1-2, adopted 7-24-00; Ord. No. O-08-10-101, § 1, adopted 11-17-08) on first reading. Commissioner Leuthold seconded the motion and upon roll call vote Commissioners Strickland, McKenzie, Mark Harmon, Broyles, Norman, Ivan Harmon, Saunders, Shouse, Hammond, Leuthold, Briggs, Anders, Lambert, Smith, Carringer, Armstrong, Wright, Brown and Pinkston voted aye. The motion carried 19-0-0-0.

* * * * *

IN RE: ORDINANCE ON SECOND READING:

**IN RE: CONSIDERATION OF AN ORDINANCE OF THE
COMMISSION OF KNOX COUNTY, TENNESSEE AMENDING KNOX
COUNTY CODE, CHAPTER 10, BUILDINGS AND BUILDING
REGULATIONS, ARTICLE IX, SWIMMING POOLS, DIVISION 3,
PRIVATE SWIMMING POOLS, SECTION 10-238 FENCING, BY
ADDING A PROVISION APPROVING A AN ALTERNATIVE TO THE
MANDATORY INSTALLATION OF POOL WALLS OR FENCES, THE
INSTALLATION OF AUTOMATIC POOL COVERS AS APPROVED BY
THE UNITED STATES PRODUCT SAFETY COMMISSION (ORD. NO.
O-91-3-103 § 2, ADOPTED 5-20-91): O-09-7-103: SECOND READING:**

Consideration of an Ordinance of the Commission of Knox County, Tennessee amending Knox County Code, Chapter 10, Buildings and Building Regulations, Article IX, Swimming Pools, Division 3, Private Swimming Pools, Section 10-238 fencing, by adding a provision approving a an alternative to the mandatory installation of pool walls or fences, the installation of automatic pool covers as approved by the United States Product Safety Commission (Ord. No. O-91-3-103 § 2, adopted 5-20-91) O-09-7-103 was before the Board of Commissioners on second reading.

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

Commissioner McKenzie moved to approve O-09-7-103 -
Consideration of an Ordinance of the Commission of Knox County, Tennessee amending Knox County Code, Chapter 10, Buildings and

Building Regulations, Article IX, Swimming Pools, Division 3, Private Swimming Pools, Section 10-238 fencing, by adding a provision approving an alternative to the mandatory installation of pool walls or fences, the installation of automatic pool covers as approved by the United States Product Safety Commission (Ord. No. O-91-3-103 § 2, adopted 5-20-91) on second reading. Commissioner Mark Harmon seconded the motion and upon roll call vote Commissioners McKenzie, Strickland, Mark Harmon, Broyles, Norman, Shouse and Wright voted aye. Commissioners Ivan Harmon, Saunders, Hammond, Leuthold, Briggs, Anders, Lambert, Smith, Carringer, Armstrong, Brown and Pinkston voted no. The motion to approve failed 7-12-0-0.

* * * * *

IN RE: AMENDMENT TO THE AGENDA:

At this time Commissioner Leuthold stated there was a difference in the County's regulations regarding swimming pools and the State's Law on swimming pools, Commissioner Leuthold asked Mr. Joe Jarret, Knox County Chief Deputy Law Director to investigate what the State Law verses the county's ordinance to make sure the county is in compliance with State Law with the County's Ordinance.

* * * * *

IN RE: AMENDMENT TO THE AGENDA:

At this time Commissioner Strickland stated he had asked Mr. Joe Jarret, Knox County Chief Deputy Law Director to look into a better way of handling the discretionary money.

* * * * *

IN RE: OTHER BUSINESS:

Discussion regarding the 90th Anniversary of the TVA&I Fair was before the Board of Commissioners.

Opening day for the TVA&I Fair is September 11, 2009 at 11:30 a.m.

* * * * *

IN RE: Report and discussion regarding Stormwater issues was before the Board of Commissioners.

Ms. Laura Cole, concerned resident, was present and spoke on the matter.

Mr. Chris Granju, Stormwater Management, was present and spoke on the matter.

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

Mr. Joe Jarret, Chief Deputy Law Director was present and spoke on the matter.

Commissioner Leuthold moved to direct Metropolitan Planning Commission, Engineering and Public Works, and County Commission to hold a workshop on stormwater before the next County Commission meeting in September. Commissioner Broyles seconded the motion and upon roll call vote Commissioners Strickland, McKenzie, Mark Harmon, Broyles, Norman, Ivan Harmon, Saunders, Shouse, Hammond, Leuthold, Briggs, Anders, Lambert, Smith, Carringer, Armstrong, Wright, Brown and Pinkston voted aye. The motion carried 19-0-0-0.

* * * * *

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

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

Commissioner Norman moved to not have any hearings (excluding Wednesday's August 26, 2009 meeting) before the Ethics Committee until the rules and procedures are in place for the Ethics Committee and have a joint committee with the Commission and Ethics Committee to look at the overall process and procedures. Also have the Knox County Law Department contact the Knoxville Bar Association and have a three (3)-person panel to review and make recommendations with regards to the rules procedure. Commissioner McKenzie seconded the motion.

Commissioner Lambert moved as a substitute motion to defer discussion of the Ethics Committee to the September Board of Commissioners meeting. Commissioner Pinkston seconded the motion and upon roll call vote Commissioners Strickland, Ivan Harmon, Shouse, Lambert and Pinkston voted aye. Commissioners McKenzie, Mark Harmon, Broyles, Norman, Saunders, Hammond, Anders, Armstrong, Wright and Brown voted no. Commissioner Leuthold abstained from the vote. Commissioners Briggs, Smith and Carringer recused themselves from the vote. The substitute motion failed 5-10-4-0.

Commissioner Norman moved to withdraw his motion to not have any hearings (excluding Wednesday's August 26, 2009 meeting) before the Ethics Committee until the rules and procedures are in place for the Ethics Committee and have a joint committee with the Commission and Ethics Committee to look at the overall process and procedures. Also have the Knox County Law Department contact the Knoxville Bar Association and have a three (3)-person panel to review and make recommendations with regards to the rules procedure. Commissioner McKenzie seconded the motion and upon roll call vote Commissioners Strickland, McKenzie, Mark Harmon, Broyles, Norman, Ivan Harmon, Saunders, Shouse, Hammond,

Leuthold, Briggs, Anders, Lambert, Smith, Carringer, Armstrong, Wright, Brown and Pinkston voted aye. The motion carried 19-0-0-0.

* * * * *

IN RE: Discussion regarding returning the Internal Auditor' Budget to the Internal Auditor and placing the Internal Audit Department back under County Commission authority was before the Board of Commissioners.

Commissioner Leuthold moved to withdraw from the agenda discussion regarding returning the Internal Auditor' Budget to the Internal Auditor and placing the Internal Audit Department back under County Commission authority. Commissioner McKenzie seconded the motion and upon roll call vote Commissioners Strickland, McKenzie, Mark Harmon, Broyles, Norman, Ivan Harmon, Saunders, Shouse, Hammond, Leuthold, Briggs, Anders, Lambert, Smith, Carringer, Armstrong, Wright, Brown and Pinkston voted aye. The motion carried 19-0-0-0.

* * * * *

IN RE: Discussion regarding Knox County's Fiscal Year 2008-2009 budget was before the Board of Commissioners.

Commissioner Pinkston moved to withdraw from the agenda discussion regarding Knox County's Fiscal Year 2008-2009 budget. Commissioner Wright seconded the motion and upon roll call vote Commissioners Strickland, McKenzie, Mark Harmon, Broyles, Norman, Ivan Harmon, Saunders, Shouse, Hammond, Leuthold, Briggs, Anders, Lambert, Smith, Carringer, Armstrong, Wright, Brown and Pinkston voted aye. The motion carried 19-0-0-0.

* * * * *

IN RE: **AMENDMENT TO THE AGENDA:**

Discussion regarding invitations the Commissioners received to the Mabry-Hazen House for Booms day.

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

No action was taken.

* * * * *

IN RE: **ADJOURNMENT:**

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

THOMAS STRICKLAND, CHAIRMAN