

KNOX COUNTY BOARD OF COMMISSIONERS

The Knox County Board of Commissioners met in Regular Session on Monday, July 25, 2011 at 1:45 p.m. in the Main Assembly Room of the City-County Building, Main Avenue. Those members present were Commissioners McKenzie, Broyles, Norman, Ownby, Briggs, Anders, Smith, Wright, Brown, Hammond and Shouse. Also present were Mr. Joe Jarret, Knox County Law Director, Mr. Richard Walls, Knox County Internal Auditor, Mr. John Troyer, Senior Director for Knox County Finance, Mr. Tim Burchett, Knox County Mayor, Mr. Mark Donaldson, Executive Director for Metropolitan Planning Commission, Mr. Ewing “Buzz” Johnson, Deputy Director for Metropolitan Planning Commission, and members of the news media.

Commissioner Hammond, Chairman, presided.

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

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IN RE: PUBLIC FORUM:

1. Mr. John Dickl, Food Service Director for Knox County Schools/Food Policy Counsel Representative, was present and spoke concerning school nutrition for Knox County Schools.

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2. At this time, Mr. Tim Burchett, Knox County Mayor, presented a proclamation to Mrs. Tracy Foster, Training Coordinator for Knox County Office of Information Technology, for her appearance on NBC News regarding “Project Being There”, a charitable organization working to improve the lives of orphans living in Vietnam.

He also proclaimed July 18, 2011 as “Project Being There Day” in Knox County.

Mrs. Foster was present to accept the proclamation and expressed appreciation for the proclamation.

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IN RE: ROLL CALL – (2:00 P.M.):

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

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IN RE: DEVOTIONAL:

Commissioner Broyles gave the devotional.

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IN RE: PLEDGE OF ALLEGIANCE TO THE FLAG:

Commissioner McKenzie led the Pledge of Allegiance to the Flag.

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IN RE: APPROVAL OF MINUTES OF THE PREVIOUS MEETING:

Consideration of approval of minutes from the previous meeting held on June 14, 2011 (Special Session) and June 27, 2011 (Regular Session) was before the Board of Commissioners.

Commissioner Brown moved to approve the minutes from the previous meeting held on June 14, 2011 (Special Session) and June 27, 2011 (Regular Session). Commissioner McKenzie seconded the motion and upon roll call vote Commissioners McKenzie, Broyles, Norman, Ownby, Briggs, Anders, Smith, Wright, Brown, Hammond and Shouse voted aye. The motion carried 11-0-0-0.

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IN RE: AMENDMENTS TO THE AGENDA:

1. Commissioner Hammond amended the agenda to defer the following item to the August 2011 Board of Commissioners meeting: Resolution R-11-7-903 - Consideration of a resolution of the Commission of Knox County, Tennessee, placing employees of the Knox County Commission under the General Knox County Employee Handbook.

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2. Commissioner Hammond amended the agenda to add the following item: Resolution R-11-7-913 - Consideration of a resolution of the Commission of Knox County, Tennessee, requesting that the Knox County Mayor consider ensuring that, when future vacancies arise on the Metropolitan Planning Commission (MPC), all parts of Knox County are provided with representation.

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3. Commissioner Hammond amended the agenda to defer the following item to the August 2011 Board of Commissioners meeting: Drives and Roads – Consideration of the closure of road and right of way at the intersection of Pleasant Ridge Road and Clinton Highway. (First Reading)

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

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4. Commissioner Hammond amended the agenda to hear the following item earlier on the day's agenda: Resolution R-11-7-909 – Consideration of a resolution of the Commission of Knox County, Tennessee, requesting that the Knox County Audit Committee direct the Knox County Internal Auditor to audit the financial records of the Beck Cultural Center.

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5. Commissioner Hammond amended the agenda to remove the following items from the Consent Calendar: Resolution R-11-7-901 - Consideration of a resolution of the Commission of Knox County, Tennessee,

approving an Economic Impact Plan submitted by the Industrial Development Board of the County of Knox in connection with a multi-use development adjacent to Everett Road and El Camino Drive in Knox County to be known as Deer Park Business Center; and Resolution R-11-7-911 - Consideration of a resolution of the Commission of Knox County, Tennessee, approving a real estate sales contract in the amount of two million sixty thousand dollars (\$2,060,000.00 with Nature's Best Organics of TN, LLC for the sale of property located at 8706 Joe Daniels Road (Parcel 089 193), 8707 Joe Daniels Road (Parcel 076 099), and 0 West Emory Road (Parcel 076 00901), also known as the Solway Greenwaste property.

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6. Commissioner Anders moved to amend the agenda to add the following item: Resolution R-11-7-912 - Consideration of a resolution of the Commission of Knox County, Tennessee, approving an appropriation in the amount of \$4,325.00 from the Risk Management Fund Balance for the purpose of reimbursing Commissioner Smith for reasonable attorney's fees incurred while successfully defending a complaint before the Knox County Ethics Committee. Commissioner McKenzie seconded the motion and upon roll call vote Commissioners McKenzie, Broyles, Norman, Ownby, Briggs, Anders, Smith, Wright, Brown, Hammond and Shouse voted aye. The motion carried 11-0-0-0.

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IN RE: DRIVES AND ROADS – (TO BE CLOSED):

Consideration of the closure of road and right of way at the intersection of Pleasant Ridge Road and Clinton Highway was before the Board of Commissioners on first reading.

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

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IN RE: LINE ITEM TRANSFERS:

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

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

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IN RE: NOTARY PUBLIC APPLICATIONS:

141 Notary Public Applications received.

Commissioner McKenzie moved to approve the 141 Notary Public Applications. Commissioner Anders seconded the motion and upon roll call vote

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

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

7. At this time, Commissioner Hammond amended the agenda to hear the following item at this time: Resolution R-11-7-110 - Consideration of a resolution of the Commission of Knox County, Tennessee, appointing an individual to serve as the Sixth District State Senator until the November 2011 general election results are certified.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, APPOINTING AN INDIVIDUAL TO SERVE AS THE SIXTH DISTRICT STATE SENATOR UNTIL THE NOVEMBER 2011 GENERAL ELECTION RESULTS ARE CERTIFIED – R-11-7-110:

Consideration of a resolution of the Commission of Knox County, Tennessee, appointing an individual to serve as the Sixth District State Senator until the November 2011 general election results are certified was before the Board of Commissioners.

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

Upon roll call for nominations for the Sixth District State Senator, Commissioner McKenzie nominated Mr. Tom Midyett. Commissioner Broyles passed. Commissioner Norman nominated Mr. Carson Dailey. Commissioner Ownby passed. Commissioner Briggs nominated Ms. Sue King Atchley. Commissioner Anders passed. Commissioner Smith passed. Commissioner Wright passed. Commissioner Brown passed. Commissioner Hammond passed. Commissioner Shouse passed.

Upon roll call for the Sixth District State Senator, Commissioners Briggs, Anders, Brown, Hammond and Shouse voted for Ms. Atchley. Commissioners Norman, Ownby and Smith voted for Mr. Dailey. Commissioners McKenzie and Broyles voted for Mr. Midyett. Commissioner Wright abstained from voting.

Ms. Atchley received 5 votes. Mr. Dailey received 3 votes. Mr. Midyett received 2 votes.

Upon roll call for the Sixth District State Senator, Commissioners McKenzie, Briggs, Anders, Brown, Hammond and Shouse voted for Ms. Atchley. Commissioners Broyles, Norman, Ownby and Smith voted for Mr. Dailey. Commissioner Wright abstained from voting.

Ms. Atchley received 6 votes. Mr. Dailey received 4 votes.

Ms. Sue King Atchley was appointed Sixth District State Senator by Resolution R-11-7-110 - Resolution of the Commission of Knox County, Tennessee, appointing Sue King Atchley to serve as the Sixth District State Senator until the November 2011 general election results are certified.

At this time, Ms. Atchley was sworn in by Chancellor John Weaver.

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

8. At this time, Commissioner Hammond amended the agenda to remove the following item from the Consent Calendar: Resolution R-11-7-401 - Consideration of a resolution of the Commission of Knox County, Tennessee, approving a proposal of the Tennessee Department of Transportation to construct a project designated as No. STP-331 (6); 47186-2211-14 that is described as Intersection Improvements, SR 331 (Tazewell Pike) and SR 131 (Emory Road).

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IN RE: CONSENT CALENDAR:

IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, CONFIRMING THE APPOINTMENTS OF DONNA MITCHELL AND EARL NASH TO THE KNOX COUNTY COMMUNITY CORRECTIONS ADVISORY BOARD FOR THE COMMUNITY ALTERNATIVES TO PRISON PROGRAM (CAPP) – R-11-7-111:

Consideration of a resolution of the Commission of Knox County, Tennessee, confirming the appointments of Donna Mitchell and Earl Nash to the Knox County Community Corrections Advisory Board for the Community Alternatives to Prison Program (CAPP) was before the Board of Commissioners.

Commissioner Smith moved to approve Resolution R-11-7-111 - Resolution of the Commission of Knox County, Tennessee, confirming the appointments of Donna Mitchell and Earl Nash to the Knox County Community Corrections Advisory Board for the Community Alternatives to Prison Program (CAPP). Commissioner Ownby seconded the motion and upon roll call vote Commissioners McKenzie, Broyles, Norman, Ownby, Briggs, Anders, Smith, Wright, Brown, Hammond and Shouse voted aye. The motion carried 11-0-0-0.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, APPOINTING COMMISSIONER SMITH AND PROVIDING FOR THE APPOINTMENT OF OTHER KNOX COUNTY EMPLOYEES TO THE EMPLOYEE INSURANCE BENEFITS COMMITTEE R-11-7-112:

Consideration of a resolution of the Commission of Knox County, Tennessee, appointing Commissioner Smith and providing for the appointment of other Knox County employees to the Employee Insurance Benefits Committee was before the Board of Commissioners.

Commissioner Smith moved to approve Resolution R-11-7-112 Resolution of the Commission of Knox County, Tennessee, appointing Commissioner Smith and providing for the appointment of other Knox County employees to the Employee Insurance Benefits Committee. Commissioner Ownby seconded the motion and upon roll call vote Commissioners McKenzie, Broyles, Norman, Ownby, Briggs, Anders, Smith, Wright, Brown, Hammond and Shouse voted aye. The motion carried 11-0-0-0.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, APPROVING A CONTRACT IN THE AMOUNT OF \$84,000.00 WITH NCS PEARSON, INC. TO PROVIDE A WEB-BASED ASSESSMENT MANAGEMENT SYSTEM FOR RESPONSE TO INTERVENTION – R-11-7-201:

Consideration of a resolution of the Commission of Knox County, Tennessee, approving a contract in the amount of \$84,000.00 with NCS Pearson, Inc. to provide a web-based assessment management system for response to intervention was before the Board of Commissioners.

Commissioner Smith moved to approve Resolution R-11-7-201 - Resolution of the Commission of Knox County, Tennessee, approving a contract in the amount of \$84,000.00 with NCS Pearson, Inc. to provide a web-based assessment management system for response to intervention. Commissioner Ownby seconded the motion and upon roll call vote Commissioners McKenzie, Broyles, Norman, Ownby, Briggs, Anders, Smith, Wright, Brown, Hammond and Shouse voted aye. The motion carried 11-0-0-0.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, APPROVING A NEW SERVICE UTILITY EASEMENT WITH THE KNOXVILLE UTILITIES BOARD (KUB) FOR PROPERTY LOCATED AT 4321 EMORY ROAD, ALSO KNOWN AS HALLS HIGH SCHOOL – R-11-7-202:

Consideration of a resolution of the Commission of Knox County, Tennessee, approving a new service utility easement with the Knoxville Utilities Board (KUB) for property located at 4321 Emory Road, also known as Halls High School was before the Board of Commissioners.

Commissioner Smith moved to approve Resolution R-11-7-202 - Resolution of the Commission of Knox County, Tennessee, approving a new

service utility easement with the Knoxville Utilities Board (KUB) for property located at 4321 Emory Road, also known as Halls High School. Commissioner Ownby seconded the motion and upon roll call vote Commissioners McKenzie, Broyles, Norman, Ownby, Briggs, Anders, Smith, Wright, Brown, Hammond and Shouse voted aye. The motion carried 11-0-0-0.

The caption was revised to read as follows:

Resolution of the Commission of Knox County, Tennessee, approving a new service utility easement agreement with the Knoxville Utilities Board (KUB) for property located at 4321 Emory Road, also known as Halls High School.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, TO APPROVE THE AWARDING OF INVITATION FOR BID #1045 IN THE APPROXIMATE AMOUNT OF \$35,000.00 PER YEAR (5 YEAR BID) TO PROMOTIONAL DESIGNS, INC. FOR TEE SHIRTS TO BE USED AS INCENTIVES FOR THE KNOX COUNTY SCHOOLS COUPON BOOK CAMPAIGN – R-11-7-203:

Consideration of a resolution of the Commission of Knox County, Tennessee, to approve the awarding of invitation for bid #1045 in the approximate amount of \$35,000.00 per year (5 year bid) to Promotional Designs, Inc. for tee shirts to be used as incentives for the Knox County Schools coupon book campaign was before the Board of Commissioners.

Commissioner Smith moved to approve Resolution R-11-7-203 – Resolution of the Commission of Knox County, Tennessee, to approve the awarding of invitation for bid #1045 in the approximate amount of \$35,000.00 per year (5 year bid) to Promotional Designs, Inc. for tee shirts to be used as incentives for the Knox County Schools coupon book campaign. Commissioner Ownby seconded the motion and upon roll call vote Commissioners McKenzie, Broyles, Norman, Ownby, Briggs, Anders, Smith, Wright, Brown, Hammond and Shouse voted aye. The motion carried 11-0-0-0.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, APPROVING A CONTRACT IN THE AMOUNT OF \$757,320.00 WITH C.M. HENLEY ROOFING COMPANY, INC. FOR ROOF UPGRADES AT KARNS ELEMENTARY SCHOOL – R-11-7-204:

Consideration of a resolution of the Commission of Knox County, Tennessee, approving a contract in the amount of \$757,320.00 with C.M. Henley Roofing Company, Inc. for roof upgrades at Karns Elementary School was before the Board of Commissioners.

Commissioner Smith moved to approve Resolution R-11-7-204 – Resolution of the Commission of Knox County, Tennessee, approving a contract in the amount of \$757,320.00 with C.M. Henley Roofing Company, Inc. for roof upgrades at Karns Elementary School. Commissioner Ownby seconded the motion and upon roll call vote Commissioners McKenzie, Broyles, Norman, Ownby, Briggs, Anders, Smith, Wright, Brown, Hammond and Shouse voted aye. The motion carried 11-0-0-0.

The caption was revised to read as follows:

Resolution of the Commission of Knox County, Tennessee, approving a contract in the amount of \$757,320.00 with C.M. Henley Roofing Company, LLC for roof upgrades at Karns Elementary School.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, APPROVING A CONTRACT IN THE AMOUNT OF \$1,093,320.00 WITH HENLEY ROOFING COMPANY, INC. FOR ROOF UPGRADES AT GREEN MAGNET ELEMENTARY AND VINE MAGNET MIDDLE SCHOOLS – R-11-7-205:

Consideration of a resolution of the Commission of Knox County, Tennessee, approving a contract in the amount of \$1,093,320.00 with Henley Roofing Company, Inc. for roof upgrades at Green Magnet Elementary and Vine Magnet Middle Schools was before the Board of Commissioners.

Commissioner Smith moved to approve Resolution R-11-7-205 – Resolution of the Commission of Knox County, Tennessee, approving a contract in the amount of \$1,093,320.00 with Henley Roofing Company, Inc. for roof upgrades at Green Magnet Elementary and Vine Magnet Middle Schools. Commissioner Ownby seconded the motion and upon roll call vote Commissioners McKenzie, Broyles, Norman, Ownby, Briggs, Anders, Smith, Wright, Brown, Hammond and Shouse voted aye. The motion carried 11-0-0-0.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, APPROVING A CONTRACT WITH U.S. FOODSERVICE FOR THE PERIOD AUGUST 1, 2011 THROUGH JANUARY 31, 2012 WITH NINE (9) SIX MONTH OPTION RENEWAL PERIODS, IN THE AMOUNT OF \$3,500,000.00 PER SIX MONTH TERM TO PROVIDE FOOD, COMMERCIAL AND COMMODITY DELIVERIES FOR THE SCHOOL NUTRITION PROGRAM – R-11-7-206:

Consideration of a resolution of the Commission of Knox County, Tennessee, approving a contract with U.S. Foodservice for the period August 1, 2011 through January 31, 2012 with nine (9) six month option renewal periods, in the amount of \$3,500,000.00 per six month term to provide food, commercial and

commodity deliveries for the School Nutrition Program was before the Board of Commissioners.

Commissioner Smith moved to approve Resolution R-11-7-206 – Resolution of the Commission of Knox County, Tennessee, approving a contract with U.S. Foodservice for the period August 1, 2011 through January 31, 2012 with nine (9) six month option renewal periods, in the amount of \$3,500,000.00 per six month term to provide food, commercial and commodity deliveries for the School Nutrition Program. Commissioner Ownby seconded the motion and upon roll call vote Commissioners McKenzie, Broyles, Norman, Ownby, Briggs, Anders, Smith, Wright, Brown, Hammond and Shouse voted aye. The motion carried 11-0-0-0.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, APPROVING A CONTRACT WITH MAYFIELD DAIRY FARMS, LLC FOR THE PERIOD AUGUST 1, 2011 THROUGH JANUARY 31, 2012 WITH FIVE (5) SIX MONTH OPTION RENEWAL PERIODS, IN THE AMOUNT OF \$500,000.00 PER SIX MONTH TERM TO PROVIDE MILK FOR THE SCHOOL NUTRITION PROGRAM – R-11-7-207:

Consideration of a resolution of the Commission of Knox County, Tennessee, approving a contract with Mayfield Dairy Farms, LLC for the period August 1, 2011 through January 31, 2012 with five (5) six month option renewal periods, in the amount of \$500,000.00 per six month term to provide milk for the School Nutrition Program was before the Board of Commissioners.

Commissioner Smith moved to approve Resolution R-11-7-207 – Resolution of the Commission of Knox County, Tennessee, approving a contract with Mayfield Dairy Farms, LLC for the period August 1, 2011 through January 31, 2012 with five (5) six month option renewal periods, in the amount of \$500,000.00 per six month term to provide milk for the School Nutrition Program. Commissioner Ownby seconded the motion and upon roll call vote Commissioners McKenzie, Broyles, Norman, Ownby, Briggs, Anders, Smith, Wright, Brown, Hammond and Shouse voted aye. The motion carried 11-0-0-0.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, AUTHORIZING THE ACCEPTANCE OF THE PERKINS IV RESERVE FUND GRANT AWARD IN THE AMOUNT OF \$85,000.00 FROM THE TENNESSEE DEPARTMENT OF EDUCATION FOR DISTANCE LEARNING INSTRUCTION PROGRAMS FOR THE 2011-2012 SCHOOL YEAR – R-11-7-208:

Consideration of a resolution of the Commission of Knox County, Tennessee, authorizing the acceptance of the Perkins IV Reserve Fund Grant Award in the amount of \$85,000.00 from the Tennessee Department of Education for Distance Learning Instruction Programs for the 2011-2012 school year was before the Board of Commissioners.

Commissioner Smith moved to approve Resolution R-11-7-208 – Resolution of the Commission of Knox County, Tennessee, authorizing the acceptance of the Perkins IV Reserve Fund Grant Award in the amount of \$85,000.00 from the Tennessee Department of Education for Distance Learning Instruction Programs for the 2011-2012 school year. Commissioner Ownby seconded the motion and upon roll call vote Commissioners McKenzie, Broyles, Norman, Ownby, Briggs, Anders, Smith, Wright, Brown, Hammond and Shouse voted aye. The motion carried 11-0-0-0.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, AUTHORIZING THE ACCEPTANCE OF A GRANT AWARD IN THE AMOUNT OF \$3,000.00 FROM THE AMERICAN LIBRARY ASSOCIATION FOR THE “LET’S TALK ABOUT IT: MAKING SENSE OF THE AMERICAN CIVIL WAR” PROJECT – R-11-7-210:

Consideration of a resolution of the Commission of Knox County, Tennessee, authorizing the acceptance of a grant award in the amount of \$3,000.00 from the American Library Association for the “Let’s Talk About It: Making Sense of the American Civil War” project was before the Board of Commissioners.

Commissioner Smith moved to approve Resolution R-11-7-210 – Resolution of the Commission of Knox County, Tennessee, authorizing the acceptance of a grant award in the amount of \$3,000.00 from the American Library Association for the “Let’s Talk About It: Making Sense of the American Civil War” project. Commissioner Ownby seconded the motion and upon roll call vote Commissioners McKenzie, Broyles, Norman, Ownby, Briggs, Anders, Smith, Wright, Brown, Hammond and Shouse voted aye. The motion carried 11-0-0-0.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, APPROVING THE FY 2011-2012 DEFINED SERVICE MEMORANDUMS OF UNDERSTANDING (MOU’S), AS APPROVED IN THE FY 2011-2012 KNOX COUNTY BUDGET UNDER CONTRACTUAL FUNDING WITH FUNDING FROM THE HOTEL/MOTEL TAX FUND, BETWEEN KNOX COUNTY AND THE FOLLOWING AGENCIES: BECK CULTURAL EXCHANGE CENTER, GOVERNOR WILLIAM BLOUNT ASSOCIATION (BLOUNT MANSION), EAST TENNESSEE CIVIL WAR ALLIANCE (KNOX COUNTY CIVIL WAR

SESQUICENTENNIAL COMMISSION), HAZEN HISTORICAL MUSEUM FOUNDATION, JAMES WHITE FORT ASSOCIATION, GOVERNOR JOHN SEVIER MEMORIAL ASSOCIATION (MARBLE SPRINGS), AND THE RAMSEY HOUSE PLANTATION – R-11-7-502:

Consideration of a resolution of the Commission of Knox County, Tennessee, approving the FY 2011-2012 Defined Service Memorandums of Understanding (MOU's), as approved in the FY 2011-2012 Knox County Budget under Contractual Funding with funding from the Hotel/Motel Tax Fund, between Knox County and the following agencies: Beck Cultural Exchange Center, Governor William Blount Association (Blount Mansion), East Tennessee Civil War Alliance (Knox County Civil War Sesquicentennial Commission), Hazen Historical Museum Foundation, James White Fort Association, Governor John Sevier Memorial Association (Marble Springs), and The Ramsey House Plantation was before the Board of Commissioners.

Commissioner Smith moved to approve Resolution R-11-7-502 – Resolution of the Commission of Knox County, Tennessee, approving the FY 2011-2012 Defined Service Memorandums of Understanding (MOU's), as approved in the FY 2011-2012 Knox County Budget under Contractual Funding with funding from the Hotel/Motel Tax Fund, between Knox County and the following agencies: Beck Cultural Exchange Center, Governor William Blount Association (Blount Mansion), East Tennessee Civil War Alliance (Knox County Civil War Sesquicentennial Commission), Hazen Historical Museum Foundation, James White Fort Association, Governor John Sevier Memorial Association (Marble Springs), and The Ramsey House Plantation. Commissioner Ownby seconded the motion and upon roll call vote Commissioners McKenzie, Broyles, Norman, Ownby, Briggs, Anders, Smith, Wright, Brown, Hammond and Shouse voted aye. The motion carried 11-0-0-0.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, APPROVING A MEMORANDUM OF UNDERSTANDING WITH THE CITY OF KNOXVILLE FOR THE ADMINISTRATION OF THE 2011 EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT (JAG) – R-11-7-504:

Consideration of a resolution of the Commission of Knox County, Tennessee, approving a Memorandum of Understanding with the City of Knoxville for the administration of the 2011 Edward Byrne Memorial Justice Assistance Grant (JAG) was before the Board of Commissioners.

Commissioner Smith moved to approve Resolution R-11-7-504 – Resolution of the Commission of Knox County, Tennessee, approving a Memorandum of Understanding with the City of Knoxville for the administration

of the 2011 Edward Byrne Memorial Justice Assistance Grant (JAG). Commissioner Ownby seconded the motion and upon roll call vote Commissioners McKenzie, Broyles, Norman, Ownby, Briggs, Anders, Smith, Wright, Brown, Hammond and Shouse voted aye. The motion carried 11-0-0-0.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, APPROVING A MEMORANDUM OF UNDERSTANDING AND AGREEMENT WITH THE KNOXVILLE-KNOX COUNTY COMMUNITY ACTION COMMITTEE (CAC) TO PROVIDE \$543,000.00 IN COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROGRAM FUNDS FOR HOUSING CONSTRUCTION SERVICES IN KNOX COUNTY – R-11-7-505:

Consideration of a resolution of the Commission of Knox County, Tennessee, approving a Memorandum of Understanding and Agreement with the Knoxville-Knox County Community Action Committee (CAC) to provide \$543,000.00 in Community Development Block Grant (CDBG) Program funds for Housing Construction Services in Knox County was before the Board of Commissioners.

Commissioner Smith moved to approve Resolution R-11-7-505 - Resolution of the Commission of Knox County, Tennessee, approving a Memorandum of Understanding and Agreement with the Knoxville-Knox County Community Action Committee (CAC) to provide \$543,000.00 in Community Development Block Grant (CDBG) Program funds for Housing Construction Services in Knox County. Commissioner Ownby seconded the motion and upon roll call vote Commissioners McKenzie, Broyles, Norman, Ownby, Briggs, Anders, Smith, Wright, Brown, Hammond and Shouse voted aye. The motion carried 11-0-0-0.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, TO APPROVE A NO-COST AGREEMENT WITH THE CITY OF KNOXVILLE, BY AND THROUGH ITS AUDITORIUM-COLISEUM BOARD, FOR THE LEASE OF CERTAIN FACILITIES AT CHILHOWEE PARK FOR THE DISTRICT 2 HOMELAND SECURITY EXPO TO BE HELD SEPTEMBER 29, 2011 – R-11-7-506:

Consideration of a resolution of the Commission of Knox County, Tennessee, to approve a no-cost agreement with the City of Knoxville, by and through its Auditorium-Coliseum Board, for the lease of certain facilities at Chilhowee Park for the District 2 Homeland Security Expo to be held September 29, 2011 was before the Board of Commissioners.

Commissioner Smith moved to approve Resolution R-11-7-506 - Resolution of the Commission of Knox County, Tennessee, to approve a no-cost agreement with the City of Knoxville, by and through its Auditorium-Coliseum Board, for the lease of certain facilities at Chilhowee Park for the District 2 Homeland Security Expo to be held September 29, 2011. Commissioner Ownby seconded the motion and upon roll call vote Commissioners McKenzie, Broyles, Norman, Ownby, Briggs, Anders, Smith, Wright, Brown, Hammond and Shouse voted aye. The motion carried 11-0-0-0.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, APPROVING A GRANT AGREEMENT IN THE AMOUNT OF \$172,600.00, WITH A COUNTY MATCH OF \$4,300.00, WITH THE TENNESSEE DEPARTMENT OF HEALTH FOR CARE COORDINATION SERVICES FOR THE CHILDREN'S SPECIAL SERVICES PROGRAM – R-11-7-601:

Consideration of a resolution of the Commission of Knox County, Tennessee, approving a grant agreement in the amount of \$172,600.00, with a county match of \$4,300.00, with the Tennessee Department of Health for care coordination services for the Children's Special Services Program was before the Board of Commissioners.

Commissioner Smith moved to approve Resolution R-11-7-601 - Resolution of the Commission of Knox County, Tennessee, approving a grant agreement in the amount of \$172,600.00, with a county match of \$4,300.00, with the Tennessee Department of Health for care coordination services for the Children's Special Services Program. Commissioner Ownby seconded the motion and upon roll call vote Commissioners McKenzie, Broyles, Norman, Ownby, Briggs, Anders, Smith, Wright, Brown, Hammond and Shouse voted aye. The motion carried 11-0-0-0.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, APPROVING A GRANT AGREEMENT IN THE AMOUNT OF \$326,000.00, WITH A COUNTY MATCH OF \$4,400.00, WITH THE TENNESSEE DEPARTMENT OF HEALTH FOR TUBERCULOSIS CONTROL, PREVENTION AND TREATMENT SERVICES R-11-7-602:

Consideration of a resolution of the Commission of Knox County, Tennessee, approving a grant agreement in the amount of \$326,000.00, with a county match of \$4,400.00, with the Tennessee Department of Health for Tuberculosis Control, Prevention and Treatment Services was before the Board of Commissioners.

Commissioner Smith moved to approve Resolution R-11-7-602 - Resolution of the Commission of Knox County, Tennessee, approving a grant agreement in the amount of \$326,000.00, with a county match of \$4,400.00, with the Tennessee Department of Health for Tuberculosis Control, Prevention and Treatment Services. Commissioner Ownby seconded the motion and upon roll call vote Commissioners McKenzie, Broyles, Norman, Ownby, Briggs, Anders, Smith, Wright, Brown, Hammond and Shouse voted aye. The motion carried 11-0-0-0.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, APPROVING A MEMORANDUM OF UNDERSTANDING IN THE AMOUNT OF \$65,000.00 WITH IJAMS NATURE CENTER TO PROVIDE AIR QUALITY EDUCATION SERVICES – R-11-7-902:

Consideration of a resolution of the Commission of Knox County, Tennessee, approving a Memorandum of Understanding in the amount of \$65,000.00 with Ijams Nature Center to provide Air Quality Education Services was before the Board of Commissioners.

Commissioner Smith moved to approve Resolution R-11-7-902 - Resolution of the Commission of Knox County, Tennessee, approving a Memorandum of Understanding in the amount of \$65,000.00 with Ijams Nature Center to provide Air Quality Education Services. Commissioner Ownby seconded the motion and upon roll call vote Commissioners McKenzie, Broyles, Norman, Ownby, Briggs, Anders, Smith, Wright, Brown, Hammond and Shouse voted aye. The motion carried 11-0-0-0.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, REQUESTING THAT THE METROPOLITAN PLANNING COMMISSION STUDY AND RECOMMEND AMENDMENTS TO THE KNOX COUNTY ZONING ORDINANCE TO PROVIDE FOR THE RAISING AND MAINTENANCE OF DOMESTICATED CHICKENS IN CERTAIN PARTS OF UNINCORPORATED KNOX COUNTY R-11-7-904:

Consideration of a resolution of the Commission of Knox County, Tennessee, requesting that the Metropolitan Planning Commission study and recommend amendments to the Knox County Zoning Ordinance to provide for the raising and maintenance of domesticated chickens in certain parts of unincorporated Knox County was before the Board of Commissioners.

Commissioner Smith moved to approve Resolution R-11-7-904 - Resolution of the Commission of Knox County, Tennessee, requesting that the Metropolitan Planning Commission study and recommend amendments to the

Knox County Zoning Ordinance to provide for the raising and maintenance of domesticated chickens in certain parts of unincorporated Knox County. Commissioner Ownby seconded the motion and upon roll call vote Commissioners McKenzie, Broyles, Norman, Ownby, Briggs, Anders, Smith, Wright, Brown, Hammond and Shouse voted aye. The motion carried 11-0-0-0.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, REQUESTING THAT THE COUNTY MAYOR INVESTIGATE WHETHER KNOX COUNTY'S COMMUNITY WARNING SYSTEM SHOULD INCLUDE EMERGENCY SIRENS DESIGNED TO ALERT THE CITIZENS OF KNOX COUNTY OF IMPENDING SEVERE WEATHER – R-11-7-907:

Consideration of a resolution of the Commission of Knox County, Tennessee, requesting that the County Mayor investigate whether Knox County's community warning system should include emergency sirens designed to alert the citizens of Knox County of impending severe weather was before the Board of Commissioners.

Commissioner Smith moved to approve Resolution R-11-7-907 - Resolution of the Commission of Knox County, Tennessee, requesting that the County Mayor investigate whether Knox County's community warning system should include emergency sirens designed to alert the citizens of Knox County of impending severe weather. Commissioner Ownby seconded the motion and upon roll call vote Commissioners McKenzie, Broyles, Norman, Ownby, Briggs, Anders, Smith, Wright, Brown, Hammond and Shouse voted aye. The motion carried 11-0-0-0.

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IN RE: ACCEPTANCE OF NEW KNOX COUNTY ROADS:

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

- A. Falling Star Lane, Cate Ridge Subdivision, District 7.
- B. Starflower Lane, Cate Ridge Subdivision, District 7.
- C. Amberjack Lane, Turnberry Subdivision, District 7.

Commissioner Smith moved to recommend approval of the above acceptance of new county roads. Commissioner Ownby seconded the motion and upon voice vote the motion carried 11-0-0-0.

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

9. Commissioner Hammond amended the agenda to hear the following item at this time: Resolution R-11-7-909 - Consideration of a resolution of the Commission of Knox County, Tennessee, requesting that the Knox County

Audit Committee direct the Knox County Internal Auditor to audit the financial records of the Beck Cultural Center.

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IN RE: RESOLUTIONS:

IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, REQUESTING THAT THE KNOX COUNTY AUDIT COMMITTEE DIRECT THE KNOX COUNTY INTERNAL AUDITOR TO AUDIT THE FINANCIAL RECORDS OF THE BECK CULTURAL CENTER – R-11-7-909:

Consideration of a resolution of the Commission of Knox County, Tennessee, requesting that the Knox County Audit Committee direct the Knox County Internal Auditor to audit the financial records of the Beck Cultural Center was before the Board of Commissioners.

Commissioner Wright moved to approve Resolution R-11-7-909 - Resolution of the Commission of Knox County, Tennessee, requesting that the Knox County Audit Committee direct the Knox County Internal Auditor to audit the financial records of the Beck Cultural Center. Commissioner Smith seconded the motion and upon roll call vote Commissioners McKenzie, Broyles, Norman, Ownby, Briggs, Anders, Smith, Wright, Brown, Hammond and Shouse voted aye. The motion carried 11-0-0-0.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, APPROVING A FUND BALANCE DESIGNATION (GENERAL PURPOSE SCHOOL FUND) IN THE AMOUNT OF \$2,940,000.00 FOR THE PURCHASE OF MATHEMATICS TEXTBOOKS FOR THE 2011-2012 SCHOOL YEAR – R-11-7-209:

Consideration of a resolution of the Commission of Knox County, Tennessee, approving a fund balance designation (General Purpose School Fund) in the amount of \$2,940,000.00 for the purchase of mathematics textbooks for the 2011-2012 school year was before the Board of Commissioners.

Commissioner Wright moved to approve Resolution R-11-7-209 - Resolution of the Commission of Knox County, Tennessee, approving a fund balance designation (General Purpose School Fund) in the amount of \$2,940,000.00 for the purchase of mathematics textbooks for the 2011-2012 school year. Commissioner Smith seconded the motion and upon roll call vote Commissioners McKenzie, Broyles, Norman, Briggs, Anders, Smith, Wright, Brown, Hammond and Shouse voted aye. Commissioner Ownby voted no. The motion carried 10-1-0-0.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, APPROVING A PROPOSAL OF THE TENNESSEE DEPARTMENT OF TRANSPORTATION TO CONSTRUCT A PROJECT DESIGNATED AS NO. STP-331 (6); 47186-2211-14 THAT IS DESCRIBED AS INTERSECTION IMPROVEMENTS, SR 331 (TAZEWELL PIKE) AND SR 131 (EMORY ROAD) – R-11-7-401:

Consideration of a Resolution of the Commission of Knox County, Tennessee, approving a proposal of the Tennessee Department of Transportation to construct a project designated as No. STP-331 (6); 47186-2211-14 that is described as Intersection Improvements, SR 331 (Tazewell Pike) and SR 131 (Emory Road) was before the Board of Commissioners.

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

Commissioner Wright moved to approve Resolution R-11-7-401 - Resolution of the Commission of Knox County, Tennessee, approving a proposal of the Tennessee Department of Transportation to construct a project designated as No. STP-331 (6); 47186-2211-14 that is described as Intersection Improvements, SR 331 (Tazewell Pike) and SR 131 (Emory Road). Commissioner Smith seconded the motion and upon roll call vote Commissioners McKenzie, Broyles, Norman, Ownby, Briggs, Anders, Smith, Wright, Brown, Hammond and Shouse voted aye. The motion carried 11-0-0-0.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, APPROVING THE FIFTH AMENDMENT TO THE MEMORANDUM OF UNDERSTANDING WITH THE CITY OF KNOXVILLE, ON BEHALF OF THE KNOXVILLE AREA TRANSIT (KAT), REGARDING THE SENIORS RIDE FREE PROGRAM – R-11-7-501:

Consideration of a resolution of the Commission of Knox County, Tennessee, approving the fifth amendment to the Memorandum of Understanding with the City of Knoxville, on behalf of the Knoxville Area Transit (KAT), regarding the Seniors Ride Free Program was before the Board of Commissioners.

Commissioner Anders moved to approve Resolution R-11-7-501 - Resolution of the Commission of Knox County, Tennessee, approving the fifth amendment to the Memorandum of Understanding with the City of Knoxville, on behalf of the Knoxville Area Transit (KAT), regarding the Seniors Ride Free Program. Commissioner Ownby seconded the motion and upon roll call vote Commissioners Norman, Ownby, Briggs, Anders, Smith, Wright, Brown, Hammond and Shouse voted aye. Commissioners McKenzie and Broyles voted no. The motion carried 9-2-0-0.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, APPROVING THE FY 2011-2012 DEFINED SERVICE MEMORANDUM OF UNDERSTANDING (MOU'S), AS APPROVED IN THE FY 2011-2012 KNOX COUNTY BUDGET UNDER CONTRACTUAL FUNDING WITH FUNDING FROM THE GENERAL FUND, BETWEEN KNOX COUNTY AND EACH OF THE FOLLOWING AGENCIES: CATHOLIC CHARITIES OF EAST TENNESSEE FOR THE COLUMBUS HOME, CATHOLIC CHARITIES OF EAST TENNESSEE FOR THE KNOX COUNTY JUVENILE COURT EMERGENCY SHELTER, COMMUNITY MEDIATION CENTER, DISABLED AMERICAN VETERANS, EAST TENNESSEE COMMUNITY DESIGN CENTER, EAST TENNESSEE VETERANS HONOR GUARD, FREE MEDICAL CLINIC OF AMERICA, HEISKELL VOLUNTEER FIRE DEPARTMENT, HELEN ROSS MCNABB CENTER, HOPE RESOURCE CENTER, INNOVATION VALLEY, INC., INTERFAITH HEALTH CLINIC, KARNS VOLUNTEER FIRE DEPARTMENT, KEEP KNOXVILLE BEAUTIFUL, KNOXVILLE AREA CHAMBER PARTNERSHIP, KNOXVILLE AREA URBAN LEAGUE, KNOXVILLE VOLUNTEER EMERGENCY RESCUE SQUAD, LISA ROSS BIRTH AND WOMEN'S CENTER, METROPOLITAN DRUG COMMISSION, CITY OF KNOXVILLE FOR THE KNOXVILLE-KNOX COUNTY TEN YEAR PLAN TO END CHRONIC HOMELESSNESS, THE DEVELOPMENT CORPORATION, VOLUNTEER FIRE DEPARTMENT OF SEYMOUR, AND YMCA OF EAST TENNESSEE – R-11-7-503:

Consideration of a resolution of the Commission of Knox County, Tennessee, approving the FY 2011-2012 Defined Service Memorandum of Understanding (MOU's), as approved in the FY 2011-2012 Knox County Budget under Contractual Funding with funding from the General Fund, between Knox County and each of the following agencies: Catholic Charities of East Tennessee for the Columbus Home, Catholic Charities of East Tennessee for the Knox County Juvenile Court Emergency Shelter, Community Mediation Center, Disabled American Veterans, East Tennessee Community Design Center, East Tennessee Veterans Honor Guard, Free Medical Clinic of America, Heiskell Volunteer Fire Department, Helen Ross McNabb Center, Hope Resource Center, Innovation Valley, Inc., Interfaith Health Clinic, Karns Volunteer Fire Department, Keep Knoxville Beautiful, Knoxville Area Chamber Partnership, Knoxville Area Urban League, Knoxville Volunteer Emergency Rescue Squad, Lisa Ross Birth and Women's Center, Metropolitan Drug Commission, City of Knoxville for the Knoxville-Knox County Ten Year Plan to End Chronic Homelessness, The

Development Corporation, Volunteer Fire Department of Seymour, and YMCA of East Tennessee was before the Board of Commissioners.

The following individuals were present and spoke on the matter: Mr. Joe Jarret, Knox County Law Director, Mr. Mark Miller, Knox County Health Department, Mr. Tim Burchett, Knox County Mayor, Ms. Lisa Hardin, Executive Director for Hope Resource Center, and Mr. John Troyer, Senior Director for Knox County Finance.

Commissioner Anders moved to approve Resolution R-11-7-503 - Resolution of the Commission of Knox County, Tennessee, approving the FY 2011-2012 Defined Service Memorandum of Understanding (MOU's), as approved in the FY 2011-2012 Knox County Budget under Contractual Funding with funding from the General Fund, between Knox County and each of the following agencies: Catholic Charities of East Tennessee for the Columbus Home, Catholic Charities of East Tennessee for the Knox County Juvenile Court Emergency Shelter, Community Mediation Center, Disabled American Veterans, East Tennessee Community Design Center, East Tennessee Veterans Honor Guard, Free Medical Clinic of America, Heiskell Volunteer Fire Department, Helen Ross McNabb Center, Hope Resource Center, Innovation Valley, Inc., Interfaith Health Clinic, Karns Volunteer Fire Department, Keep Knoxville Beautiful, Knoxville Area Chamber Partnership, Knoxville Area Urban League, Knoxville Volunteer Emergency Rescue Squad, Lisa Ross Birth and Women's Center, Metropolitan Drug Commission, City of Knoxville for the Knoxville-Knox County Ten Year Plan to End Chronic Homelessness, The Development Corporation, Volunteer Fire Department of Seymour, and YMCA of East Tennessee. Commissioner Smith seconded the motion.

Commissioner Broyles moved as a substitute motion to approve Resolution R-11-7-503 - Resolution of the Commission of Knox County, Tennessee, approving the FY 2011-2012 Defined Service Memorandum of Understanding (MOU's), as approved in the FY 2011-2012 Knox County Budget under Contractual Funding with funding from the General Fund, between Knox County and each of the following agencies: Catholic Charities of East Tennessee for the Columbus Home, Catholic Charities of East Tennessee for the Knox County Juvenile Court Emergency Shelter, Community Mediation Center, Disabled American Veterans, East Tennessee Community Design Center, East Tennessee Veterans Honor Guard, Free Medical Clinic of America, Heiskell Volunteer Fire Department, Helen Ross McNabb Center, Hope Resource Center, Innovation Valley, Inc., Interfaith Health Clinic, Karns Volunteer Fire Department, Keep Knoxville Beautiful, Knoxville Area Chamber Partnership, Knoxville Area Urban League, Knoxville Volunteer Emergency Rescue Squad, Lisa Ross Birth and Women's Center, Metropolitan Drug Commission, City of Knoxville for the

Knoxville-Knox County Ten Year Plan to End Chronic Homelessness, The Development Corporation, Volunteer Fire Department of Seymour, and YMCA of East Tennessee with the following amendment: delete Hope Resource Center. Commissioner Norman seconded the motion and upon roll call vote Commissioners McKenzie, Broyles, Norman, Hammond and Shouse voted aye. Commissioners Ownby, Briggs, Anders, Smith, Wright and Brown voted no. The substitute motion failed 5-6-0-0.

Commissioner Brown moved as a substitute motion to defer to the August 2011 Board of Commissioners meeting Resolution R-11-7-503 - Resolution of the Commission of Knox County, Tennessee, approving the FY 2011-2012 Defined Service Memorandum of Understanding (MOU's), as approved in the FY 2011-2012 Knox County Budget under Contractual Funding with funding from the General Fund, between Knox County and each of the following agencies: Catholic Charities of East Tennessee for the Columbus Home, Catholic Charities of East Tennessee for the Knox County Juvenile Court Emergency Shelter, Community Mediation Center, Disabled American Veterans, East Tennessee Community Design Center, East Tennessee Veterans Honor Guard, Free Medical Clinic of America, Heiskell Volunteer Fire Department, Helen Ross McNabb Center, Hope Resource Center, Innovation Valley, Inc., Interfaith Health Clinic, Karns Volunteer Fire Department, Keep Knoxville Beautiful, Knoxville Area Chamber Partnership, Knoxville Area Urban League, Knoxville Volunteer Emergency Rescue Squad, Lisa Ross Birth and Women's Center, Metropolitan Drug Commission, City of Knoxville for the Knoxville-Knox County Ten Year Plan to End Chronic Homelessness, The Development Corporation, Volunteer Fire Department of Seymour, and YMCA of East Tennessee. Commissioner Broyles seconded the motion and upon voice vote the substitute motion failed.

Upon roll call vote of the original motion to approve Resolution R-11-7-503 - Resolution of the Commission of Knox County, Tennessee, approving the FY 2011-2012 Defined Service Memorandum of Understanding (MOU's), as approved in the FY 2011-2012 Knox County Budget under Contractual Funding with funding from the General Fund, between Knox County and each of the following agencies: Catholic Charities of East Tennessee for the Columbus Home, Catholic Charities of East Tennessee for the Knox County Juvenile Court Emergency Shelter, Community Mediation Center, Disabled American Veterans, East Tennessee Community Design Center, East Tennessee Veterans Honor Guard, Free Medical Clinic of America, Heiskell Volunteer Fire Department, Helen Ross McNabb Center, Hope Resource Center, Innovation Valley, Inc., Interfaith Health Clinic, Karns Volunteer Fire Department, Keep Knoxville Beautiful, Knoxville Area Chamber Partnership, Knoxville Area Urban League, Knoxville Volunteer Emergency Rescue Squad, Lisa Ross Birth and

Women's Center, Metropolitan Drug Commission, City of Knoxville for the Knoxville-Knox County Ten Year Plan to End Chronic Homelessness, The Development Corporation, Volunteer Fire Department of Seymour, and YMCA of East Tennessee, Commissioners Ownby, Briggs, Anders, Smith, Wright, Brown, Hammond and Shouse voted aye. Commissioners McKenzie, Broyles and Norman voted no. The motion carried 8-3-0-0.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, APPROVING AN ECONOMIC IMPACT PLAN SUBMITTED BY THE INDUSTRIAL DEVELOPMENT BOARD OF THE COUNTY OF KNOX IN CONNECTION WITH A MULTI-USE DEVELOPMENT ADJACENT TO EVERETT ROAD AND EL CAMINO DRIVE IN KNOX COUNTY TO BE KNOWN AS DEER PARK BUSINESS CENTER – R-11-7-901:

Consideration of a resolution of the Commission of Knox County, Tennessee, approving an Economic Impact Plan submitted by the Industrial Development Board of the County of Knox in connection with a multi-use development adjacent to Everett Road and El Camino Drive in Knox County to be known as Deer Park Business Center was before the Board of Commissioners.

Mr. Todd Napier, Development Corporation of Knox County, Mr. Steve Maddox, concerned citizen, and Mr. Dwight VanDeVate, Director for Knox County Engineering and Public Works, were present and spoke on the matter.

Commissioner Anders moved to approve Resolution R-11-7-901 - Resolution of the Commission of Knox County, Tennessee, approving an Economic Impact Plan submitted by the Industrial Development Board of the County of Knox in connection with a multi-use development adjacent to Everett Road and El Camino Drive in Knox County to be known as Deer Park Business Center. Commissioner Brown seconded the motion and upon roll call vote Commissioners McKenzie, Ownby, Briggs, Anders, Smith, Wright, Brown, Hammond and Shouse voted aye. Commissioners Broyles and Norman voted no. The motion carried 9-2-0-0.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, PLACING EMPLOYEES OF THE KNOX COUNTY COMMISSION UNDER THE GENERAL KNOX COUNTY EMPLOYEE HANDBOOK – R-11-7-903:

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

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IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, REQUESTING THAT THE KNOX COUNTY AUDIT COMMITTEE DIRECT THE KNOX COUNTY INTERNAL AUDITOR TO CONDUCT A FORENSIC AUDIT OF THE PUBLIC BUILDING AUTHORITY OF THE COUNTY OF KNOX AND THE CITY OF KNOXVILLE (PBA) FROM 2005 TO PRESENT – R-11-7-905:

Consideration of a resolution of the Commission of Knox County, Tennessee, requesting that the Knox County Audit Committee direct the Knox County Internal Auditor to conduct a forensic audit of the Public Building Authority of the County of Knox and the City of Knoxville (PBA) from 2005 to present was before the Board of Commissioners.

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

Commissioner Ownby moved to approve Resolution R-11-7-905 - Resolution of the Commission of Knox County, Tennessee, requesting that the Knox County Audit Committee direct the Knox County Internal Auditor to conduct a forensic audit of the Public Building Authority of the County of Knox and the City of Knoxville (PBA) from 2005 to present with the following amendment: delete the word “forensic” and replace with the word “material.” Commissioner Anders seconded the motion and upon roll call vote Commissioners McKenzie, Broyles, Norman, Ownby, Briggs, Anders, Smith, Wright, Brown, Hammond and Shouse voted aye. The motion carried 11-0-0-0.

The caption was revised to read as follows:

Resolution R-11-7-905 - Resolution of the Commission of Knox County, Tennessee, requesting that the Knox County Audit Committee direct the Knox County Internal Auditor to conduct a material audit of the Public Building Authority of the County of Knox and the City of Knoxville (PBA) from 2005 to present.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, REQUESTING THAT THE KNOX COUNTY AUDIT COMMITTEE DIRECT THE KNOX COUNTY INTERNAL AUDITOR TO CONDUCT A FORENSIC AUDIT OF THE FINANCIAL ASPECTS THAT LED TO THE CONSTRUCTION OF THE HARDIN VALLEY ACADEMY AS WELL AS THE MANAGEMENT OF THE PROJECT THROUGH COMPLETION, INCLUDING BUT NOT LIMITED TO AN EXAMINATION OF THE INVOLVEMENT OF MEMBERS/EMPLOYEES OF THE KNOX COUNTY BOARD OF EDUCATION IN THE PROCESS – R-11-7-906:

Consideration of a resolution of the Commission of Knox County, Tennessee, requesting that the Knox County Audit Committee direct the Knox County Internal Auditor to conduct a forensic audit of the financial aspects that led to the construction of the Hardin Valley Academy as well as the management of the project through completion, including but not limited to an examination of the involvement of members/employees of the Knox County Board of Education in the process was before the Board of Commissioners.

Commissioner Ownby moved to approve Resolution R-11-7-906 - Resolution of the Commission of Knox County, Tennessee, requesting that the Knox County Audit Committee direct the Knox County Internal Auditor to conduct a forensic audit of the financial aspects that led to the construction of the Hardin Valley Academy as well as the management of the project through completion, including but not limited to an examination of the involvement of members/employees of the Knox County Board of Education in the process with the following amendment: delete the word “forensic” and replace with the word “material.” The motion was seconded and upon roll call vote Commissioners McKenzie, Broyles, Norman, Ownby, Briggs, Anders, Smith, Wright, Brown, Hammond and Shouse voted aye. The motion carried 11-0-0-0.

The caption was revised to read as follows:

Resolution of the Commission of Knox County, Tennessee, requesting that the Knox County Audit Committee direct the Knox County Internal Auditor to conduct a material audit of the financial aspects that led to the construction of the Hardin Valley Academy as well as the management of the project through completion, including but not limited to an examination of the involvement of members/employees of the Knox County Board of Education in the process.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, RATIFYING THE RULES PROMULGATED BY THE KNOX COUNTY AUDIT COMMITTEE RELATIVE TO A PROCESS BY WHICH EMPLOYEES, TAXPAYERS OR OTHER CITIZENS MAY CONFIDENTIALLY REPORT SUSPECTED ILLEGAL, IMPROPER, WASTEFUL OR FRAUDULENT ACTIVITY – R-11-7-908:

Consideration of a resolution of the Commission of Knox County, Tennessee, ratifying the rules promulgated by the Knox County Audit Committee relative to a process by which employees, taxpayers or other citizens may confidentially report suspected illegal, improper, wasteful or fraudulent activity was before the Board of Commissioners.

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

Commissioner Wright moved to approve Resolution R-11-7-908 - Resolution of the Commission of Knox County, Tennessee, ratifying the rules promulgated by the Knox County Audit Committee relative to a process by which employees, taxpayers or other citizens may confidentially report suspected illegal, improper, wasteful or fraudulent activity. Commissioner Smith seconded the motion and upon roll call vote Commissioners McKenzie, Broyles, Norman, Ownby, Briggs, Anders, Smith, Wright, Brown, Hammond and Shouse voted aye. The motion carried 11-0-0-0.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, REQUESTING THAT THE KNOX COUNTY AUDIT COMMITTEE DIRECT THE KNOX COUNTY INTERNAL AUDITOR TO AUDIT THE FINANCIAL RECORDS OF THE BECK CULTURAL CENTER – R-11-7-909:

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

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IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, APPROVING AN AGREEMENT FOR THE CONVEYANCE OF A PERMANENT UTILITY EASEMENT AND TEMPORARY CONSTRUCTION EASEMENT LOCATED AT 9118 GEORGE WILLIAMS ROAD, ALSO KNOWN AS WEST VALLEY MIDDLE SCHOOL, TO THE FIRST UTILITY DISTRICT OF KNOX COUNTY FOR IMPROVED UTILITY SERVICE AND RELIABILITY IN THE AREA – R-11-7-910:

Consideration of a resolution of the Commission of Knox County, Tennessee, approving an agreement for the conveyance of a permanent utility easement and temporary construction easement located at 9118 George Williams Road, also known as West Valley Middle School, to the First Utility District of Knox County for improved utility service and reliability in the area was before the Board of Commissioners.

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

Commissioner Briggs moved to approve Resolution R-11-7-910 - Resolution of the Commission of Knox County, Tennessee, approving an agreement for the conveyance of a permanent utility easement and temporary construction easement located at 9118 George Williams Road, also known as West Valley Middle School, to the First Utility District of Knox County for improved utility service and reliability in the area. Commissioner Anders seconded the motion and upon roll call vote Commissioners McKenzie, Broyles, Norman, Ownby, Briggs, Anders, Smith, Wright, Brown, Hammond and Shouse voted aye. The motion carried 11-0-0-0.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, APPROVING A REAL ESTATE SALES CONTRACT IN THE AMOUNT OF TWO MILLION SIXTY THOUSAND DOLLARS (\$2,060,000.00) WITH NATURE'S BEST ORGANICS OF TN, LLC FOR THE SALE OF PROPERTY LOCATED AT 8706 JOE DANIELS ROAD (PARCEL 089 193), 8707 JOE DANIELS ROAD (PARCEL 076 099), AND 0 WEST EMORY ROAD (PARCEL 076 00901), ALSO KNOWN AS THE SOLWAY GREENWASTE PROPERTY – R-11-7-911:

Consideration of a resolution of the Commission of Knox County, Tennessee, approving a real estate sales contract in the amount of two million sixty thousand dollars (\$2,060,000.00) with Nature's Best Organics of TN, LLC for the sale of property located at 8706 Joe Daniels Road (Parcel 089 193), 8707 Joe Daniels Road (Parcel 076 099), and 0 West Emory Road (Parcel 076 00901), also known as the Solway Greenwaste property was before the Board of Commissioners.

The following individuals were present and spoke on the matter: Mr. Doug Bataille, Director for Knox County Parks and Recreation, Mr. John King, Attorney representing Nature's Best Organics of TN, LLC, Mr. Mark Donaldson, Executive Director for Metropolitan Planning Commission, Mr. John Troyer, Senior Director for Knox County Finance, Mr. Dwight VanDeVate, Director for Knox County Engineering and Public Works, and Mr. Joe Jarret, Knox County Law Director.

Commissioner Anders moved to approve Resolution R-11-7-911 - Resolution of the Commission of Knox County, Tennessee, approving a real estate sales contract in the amount of two million sixty thousand dollars (\$2,060,000.00) with Nature's Best Organics of TN, LLC for the sale of property located at 8706 Joe Daniels Road (Parcel 089 193), 8707 Joe Daniels Road (Parcel 076 099), and 0 West Emory Road (Parcel 076 00901), also known as the Solway Greenwaste property. Commissioner Briggs seconded the motion.

Commissioner Norman moved as a substitute motion to defer to the August 2011 Board of Commissioners meeting Resolution R-11-7-911 - Resolution of the Commission of Knox County, Tennessee, approving a real estate sales contract in the amount of two million sixty thousand dollars (\$2,060,000.00) with Nature's Best Organics of TN, LLC for the sale of property located at 8706 Joe Daniels Road (Parcel 089 193), 8707 Joe Daniels Road (Parcel 076 099), and 0 West Emory Road (Parcel 076 00901), also known as the Solway Greenwaste property. Commissioner Broyles seconded the motion and upon voice vote the substitute motion failed.

Upon roll call vote of the original motion to approve Resolution R-11-7-911 - Resolution of the Commission of Knox County, Tennessee, approving a real estate sales contract in the amount of two million sixty thousand dollars (\$2,060,000.00) with Nature's Best Organics of TN, LLC for the sale of property located at 8706 Joe Daniels Road (Parcel 089 193), 8707 Joe Daniels Road (Parcel 076 099), and 0 West Emory Road (Parcel 076 00901), also known as the Solway Greenwaste property, Commissioners McKenzie, Broyles, Ownby, Briggs, Anders, Smith, Wright, Brown, Hammond and Shouse voted aye. Commissioner Norman voted no. The motion carried 10-1-0-0.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, APPROVING AN APPROPRIATION IN THE AMOUNT OF \$4,325.00 FROM THE RISK MANAGEMENT FUND BALANCE FOR THE PURPOSE OF REIMBURSING COMMISSIONER SMITH FOR REASONABLE ATTORNEY'S FEES INCURRED WHILE SUCCESSFULLY DEFENDING A COMPLAINT BEFORE THE KNOX COUNTY ETHICS COMMITTEE – R-11-7-912:

Consideration of a resolution of the Commission of Knox County, Tennessee, approving an appropriation in the amount of \$4,325.00 from the Risk Management Fund Balance for the purpose of reimbursing Commissioner Smith for reasonable attorney's fees incurred while successfully defending a complaint before the Knox County Ethics Committee was before the Board of Commissioners.

Commissioner Briggs moved to approve Resolution R-11-7-912 - Resolution of the Commission of Knox County, Tennessee, approving an appropriation in the amount of \$4,325.00 from the Risk Management Fund Balance for the purpose of reimbursing Commissioner Smith for reasonable attorney's fees incurred while successfully defending a complaint before the Knox County Ethics Committee. Commissioner Ownby seconded the motion and upon roll call vote Commissioners McKenzie, Broyles, Norman, Ownby, Briggs, Anders, Wright, Brown, Hammond and Shouse voted aye. Commissioner Smith recused himself from the vote. The motion carried 10-0-1-0.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, REQUESTING THAT THE KNOX COUNTY MAYOR CONSIDER ENSURING THAT, WHEN FUTURE VACANCIES ARISE ON THE METROPOLITAN PLANNING COMMISSION (MPC), ALL PARTS OF KNOX COUNTY ARE PROVIDED WITH REPRESENTATION – R-11-7-913:

Consideration of a resolution of the Commission of Knox County, Tennessee, requesting that the Knox County Mayor consider ensuring that, when future vacancies arise on the Metropolitan Planning Commission (MPC), all parts of Knox County are provided with representation was before the Board of Commissioners.

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

Commissioner Brown moved to approve Resolution R-11-7-913 - Resolution of the Commission of Knox County, Tennessee, requesting that the Knox County Mayor consider ensuring that, when future vacancies arise on the Metropolitan Planning Commission (MPC), all parts of Knox County are provided with representation. Commissioner Wright seconded the motion and upon roll call vote Commissioners McKenzie, Broyles, Norman, Briggs, Anders, Smith, Wright, Brown, Hammond and Shouse voted aye. Commissioner Ownby voted no. The motion carried 10-1-0-0.

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IN RE: ORDINANCES ON FIRST READING:

IN RE: CONSIDERATION OF AN ORDINANCE OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, AMENDING CHAPTER 2, ARTICLE X, DIVISION 6 OF THE KNOX COUNTY CODE BY ADDING A NEW SECTION 2-838, PREVIOUSLY RESERVED, TO PROVIDE THAT ANY EMPLOYEE HAVING DIRECT OR INDIRECT KNOWLEDGE OF ANY SUSPECTED ILLEGAL, IMPROPER, WASTEFUL OR FRAUDULENT ACTIVITY, OR ANY VIOLATIONS OF THE KNOX COUNTY EMPLOYEE HANDBOOK HAS AN ABSOLUTE, UNQUALIFIED DUTY TO IMMEDIATELY REPORT SUCH ACTIVITIES TO HIS OR HER SUPERVISOR AND FAILURE TO DO SO MAY LEAD TO DISCIPLINARY ACTION UP TO AND INCLUDING TERMINATION FROM EMPLOYMENT WITH KNOX COUNTY (AMENDING ORDINANCE O-02-7-101, ADOPTED AUGUST 26, 2002) – O-11-7-101 – (FIRST READING):

Consideration of an Ordinance of the Commission of Knox County, Tennessee, amending Chapter 2, Article X, Division 6 of the Knox County Code by adding a new Section 2-838, previously reserved, to provide that any employee having direct or indirect knowledge of any suspected illegal, improper, wasteful or fraudulent activity, or any violations of the Knox County Employee Handbook has an absolute, unqualified duty to immediately report such activities to his or her supervisor and failure to do so may lead to disciplinary action up to and including termination from employment with Knox County (amending Ordinance

O-02-7-101, adopted August 26, 2002) was before the Board of Commissioners on first reading.

Commissioner Wright moved to approve Ordinance O-11-7-101 - Ordinance of the Commission of Knox County, Tennessee, amending Chapter 2, Article X, Division 6 of the Knox County Code by adding a new Section 2-838, previously reserved, to provide that any employee having direct or indirect knowledge of any suspected illegal, improper, wasteful or fraudulent activity, or any violations of the Knox County Employee Handbook has an absolute, unqualified duty to immediately report such activities to his or her supervisor and failure to do so may lead to disciplinary action up to and including termination from employment with Knox County (amending Ordinance O-02-7-101, adopted August 26, 2002) on first reading. Commissioner Smith seconded the motion and upon roll call vote Commissioners McKenzie, Broyles, Norman, Ownby, Briggs, Anders, Smith, Wright, Brown, Hammond and Shouse voted aye. The motion carried 11-0-0-0.

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IN RE: CONSIDERATION OF AN ORDINANCE OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, AMENDING SECTION 2-286 OF THE KNOX COUNTY CODE ENTITLED "DEFENSE AND INDEMNIFICATION OF COUNTY EMPLOYEES" TO ADD NEW SUBSECTIONS 2-286(E) AND 2-286(F) TO PROVIDE FOR THE REIMBURSEMENT OF KNOX COUNTY EMPLOYEES AND ELECTED AND APPOINTED OFFICIALS FOR COURT COSTS AND ATTORNEY'S FEES IN CERTAIN INSTANCES (AMENDING ORDINANCE O-94-12-101, ADOPTED JANUARY 23, 1995) – O-11-7-102 – (FIRST READING):

Consideration of an Ordinance of the Commission of Knox County, Tennessee, amending Section 2-286 of the Knox County Code entitled "Defense and Indemnification of County Employees" to add new subsections 2-286(e) and 2-286(f) to provide for the reimbursement of Knox County employees and elected and appointed officials for court costs and attorney's fees in certain instances (amending Ordinance O-94-12-101, adopted January 23, 1995) was before the Board of Commissioners on first reading.

Commissioner Smith moved to approve Ordinance O-11-7-102 - Ordinance of the Commission of Knox County, Tennessee, amending Section 2-286 of the Knox County Code entitled "Defense and Indemnification of County Employees" to add new subsections 2-286(e) and 2-286(f) to provide for the reimbursement of Knox County employees and elected and appointed officials for court costs and attorney's fees in certain instances (amending Ordinance O-94-12-101, adopted January 23, 1995) on first reading. Commissioner Brown seconded the motion and upon roll call vote Commissioners McKenzie, Broyles,

Norman, Ownby, Briggs, Anders, Smith, Wright, Brown, Hammond and Shouse voted aye. The motion carried 11-0-0-0.

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IN RE: ORDINANCE ON SECOND READING:

IN RE: CONSIDERATION OF AN ORDINANCE OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, AMENDING SECTION 2-274 OF THE KNOX COUNTY CODE, CHAPTER 2, ARTICLE III, DIVISION II, DEPARTMENT OF INTERNAL AUDIT, TO PROVIDE THE KNOX COUNTY COMMISSION WITH THE OPTION TO SOLICIT FROM EXTERNAL AUDITING PROFESSIONALS REQUESTS FOR QUALIFICATIONS TO PERFORM THOSE INTERNAL AUDIT FUNCTIONS ASCRIBED TO THE KNOX COUNTY AUDITOR (AMENDING ORDINANCE O-02-8-105, ADOPTED SEPTEMBER 23, 2002) – O-11-6-101 – (SECOND READING):

Consideration of an Ordinance of the Commission of Knox County, Tennessee, amending Section 2-274 of the Knox County Code, Chapter 2, Article III, Division II, Department of Internal Audit, to provide the Knox County Commission with the option to solicit from external auditing professionals requests for qualifications to perform those internal audit functions ascribed to the Knox County Auditor (amending Ordinance O-02-8-105, adopted September 23, 2002) was before the Board of Commissioners on second reading.

Commissioner Anders moved to approve Ordinance O-11-6-101 - Ordinance of the Commission of Knox County, Tennessee, amending Section 2-274 of the Knox County Code, Chapter 2, Article III, Division II, Department of Internal Audit, to provide the Knox County Commission with the option to solicit from external auditing professionals requests for qualifications to perform those internal audit functions ascribed to the Knox County Auditor (amending Ordinance O-02-8-105, adopted September 23, 2002) on second reading. Commissioner Brown seconded the motion and upon roll call vote Commissioners McKenzie, Broyles, Norman, Ownby, Briggs, Anders, Smith, Wright, Brown, Hammond and Shouse voted aye. The motion carried 11-0-0-0.

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

10. At this time, there was discussion regarding Rural Metro pricing policies.

No action was taken.

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IN RE: ROLL CALL – (6:00 P.M.):

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

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IN RE: ZONING REQUESTS:

1. Consideration of the request of Bryan E. Testerman for rezoning from RA Low Density Residential Zone to PR Planned Residential Zone was before the Board of Commissioners. Property located southeast side of Nubbin Ridge Road, southwest of Tranquilla Drive. (4th Commission District)

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

Commissioner Ownby moved to approve zoning request RZ-11-7-101 - Request of Bryan E. Testerman for rezoning from RA Low Density Residential Zone to PR Planned Residential Zone at a density up to 5 dwelling units per acre as per MPC's recommendation. Commissioner Smith seconded the motion and upon roll call vote Commissioners McKenzie, Broyles, Norman, Ownby, Briggs, Anders, Smith, Wright, Brown, Hammond and Shouse voted aye. The motion carried 11-0-0-0. Property located southeast side of Nubbin Ridge Road, southwest of Tranquilla Drive. (4th Commission District) MPC's file number: 5-A-11-RZ.

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2. Consideration of the request of Metropolitan Planning Commission for the 2011 update to the Major Road Plan was before the Board of Commissioners.

Mr. Mark Donaldson, Executive Director for Metropolitan Planning Commission, and Mr. Ewing "Buzz" Johnson, Deputy Director for Metropolitan Planning Commission, were present and spoke on the matter.

Commissioner Wright moved to approve zoning request RZ-11-7-102 – Request of Metropolitan Planning Commission for the 2011 update to the Major Road Plan. Commissioner Smith seconded the motion and upon roll call vote Commissioners McKenzie, Broyles, Norman, Ownby, Briggs, Anders, Smith, Wright, Brown, Hammond and Shouse voted aye. The motion carried 11-0-0-0. MPC's file number: 5-A-11-SAP.

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3. Consideration of the request of CUS, LLC for a Northwest County Sector Plan Amendment from O Office and SLPA Slope Protection Area Zone to C Commercial and SLPA Slope Protection Area Zone was before the Board of

Commissioners. Property located south side of Hardin Valley Road, east of Bertelkamp Lane. (6th Commission District)

Mr. Eric Mosley, applicant, was present and spoke on behalf of the request.

Mr. Mark Donaldson, Executive Director for Metropolitan Planning Commission, and Mr. Ewing “Buzz” Johnson, Deputy Director for Metropolitan Planning Commission, were present and spoke on the matter.

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

Commissioner Anders moved to approve zoning request RZ-11-7-103 - Request of CUS, LLC for a Northwest County Sector Plan Amendment from O Office and SLPA Slope Protection Area Zone to C Commercial and SLPA Slope Protection Area Zone as per MPC’s recommendation. Commissioner Smith seconded the motion and upon roll call vote Commissioners Broyles, Norman, Ownby, Briggs, Anders, Smith, Wright, Brown, Hammond and Shouse voted aye. Commissioner McKenzie voted no. The motion carried 10-1-0-0. Property located south side of Hardin Valley Road, east of Bertelkamp Lane. (6th Commission District) MPC’s file number: 6-B-11-SP.

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4. Consideration of the request of CUS, LLC for rezoning from A Agricultural Zone to CA General Business Zone was before the Board of Commissioners. Property located south side of Hardin Valley Road, east of Bertelkamp Lane. (6th Commission District)

Mr. Eric Mosley, applicant, was present and spoke on behalf of the request.

Mr. Mark Donaldson, Executive Director for Metropolitan Planning Commission, and Mr. Ewing “Buzz” Johnson, Deputy Director for Metropolitan Planning Commission, were present and spoke on the matter.

Commissioner Anders moved to approve zoning request RZ-11-7-104 - Request of CUS, LLC for rezoning from A Agricultural Zone to CA General Business Zone for the whole lot with the stipulation that the applicant submit the site plan to MPC staff for approval. Commissioner Smith seconded the motion and upon roll call vote Commissioners McKenzie, Broyles, Norman, Ownby, Briggs, Anders, Smith, Wright, Brown, Hammond and Shouse voted aye. The motion carried 11-0-0-0. Property located south side of Hardin Valley Road, east of Bertelkamp Lane. (6th Commission District) MPC’s file number: 6-C-11-RZ.

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5. Consideration of the request of Vance and Pam Griffin for rezoning from RA Low Density Residential Zone to A Agricultural Zone was

before the Board of Commissioners. Property located southwest side of Shoffner Lane, northwest of Griffith Road. (7th Commission District)

Ms. Pamela Griffin and Mr. Vance Griffin, applicants, were present and spoke on behalf of the request.

Mr. Robert Bean, area resident, was present and spoke in opposition to the request.

Mr. Ewing “Buzz” Johnson, Deputy Director for Metropolitan Planning Commission, and Mr. Mark Donaldson, Executive Director for Metropolitan Planning Commission, were present and spoke on the matter.

Commissioner Smith moved to defer to the September 2011 Board of Commissioners meeting the request of Vance and Pam Griffin for rezoning from RA Low Density Residential Zone to A Agricultural Zone. Commissioner Briggs seconded the motion and upon roll call vote Commissioners McKenzie, Broyles, Norman, Ownby, Briggs, Anders, Smith, Wright, Brown, Hammond and Shouse voted aye. The motion carried 11-0-0-0. Property located southwest side of Shoffner Lane, northwest of Griffith Road. (7th Commission District) MPC’s file number: 6-D-11-RZ.

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6. Consideration of the request of William L. Lunsford for North County Sector Plan Amendment from LDR Low Density Residential Zone to Commercial Zone was before the Board of Commissioners. Property located northeast side of Old Maynardville Pike, north side of Foley Drive. (7th Commission District)

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

Commissioner Smith moved to approve zoning request RZ-11-7-105 - Request of William L. Lunsford for North County Sector Plan Amendment from LDR Low Density Residential Zone to Commercial Zone. Commissioner Wright seconded the motion and upon roll call vote Commissioners McKenzie, Broyles, Norman, Ownby, Briggs, Anders, Smith, Wright, Brown, Hammond and Shouse voted aye. The motion carried 11-0-0-0. Property located northeast side of Old Maynardville Pike, north side of Foley Drive. (7th Commission District) MPC’s file number: 6-C-11-SP.

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7. Consideration of the request of William L. Lunsford for rezoning from RB General Residential and CA General Business Zone to CA General Business Zone was before the Board of Commissioners. Property located northeast side of Old Maynardville Pike, north side of Foley Drive. (7th Commission District)

Commissioner Smith moved to approve zoning request RZ-11-7-106 - Request of William L. Lunsford for rezoning from RB General Residential and CA General Business Zone to CA (K) General Business Zone subject to 2 conditions as per MPC's recommendation. Commissioner Wright seconded the motion and upon roll call vote Commissioners McKenzie, Broyles, Norman, Ownby, Briggs, Anders, Smith, Wright, Brown, Hammond and Shouse voted aye. The motion carried 11-0-0-0. Property located northeast side of Old Maynardville Pike, north side of Foley Drive. (7th Commission District) MPC's file number: 6-E-11-RZ.

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IN RE: ZONING APPEALS

No zoning appeals received.

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IN RE: AMENDMENTS TO THE KNOX COUNTY ZONING ORDINANCE:

IN RE: CONSIDERATION OF AN ORDINANCE OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, AMENDING ARTICLE 5, SECTIONS 5.31 GENERAL BUSINESS ZONE, 5.32 BUSINESS AND MANUFACTURING ZONE, 5.33 PLANNED COMMERCIAL ZONE, 5.34 SHOPPING CENTER ZONE, 5.35 HIGHWAY COMMERCIAL ZONE, 5.50 BUSINESS AND TECHNOLOGY PARK AND 5.51 EMPLOYMENT CENTER ZONE OF THE KNOX COUNTY ZONING ORDINANCE REGARDING LOCATIONS OF ESTABLISHMENTS SELLING BEER FOR CONSUMPTION ON PREMISES (AMENDING ORDINANCE O-90-9-130, ADOPTED SEPTEMBER 10, 1990, AS AMENDED) – O-11-7-103 – (FIRST READING):

Consideration of an Ordinance of the Commission of Knox County, Tennessee, amending Article 5, Sections 5.31 General Business Zone, 5.32 Business and Manufacturing Zone, 5.33 Planned Commercial Zone, 5.34 Shopping Center Zone, 5.35 Highway Commercial Zone, 5.50 Business and Technology Park and 5.51 Employment Center Zone of the Knox County Zoning Ordinance regarding locations of establishments selling beer for consumption on premises (amending Ordinance O-90-9-130, adopted September 10, 1990, as amended) was before the Board of Commissioners on first reading.

Commissioner Ownby moved to approve Ordinance O-11-7-103 - Ordinance of the Commission of Knox County, Tennessee, amending Article 5, Sections 5.31 General Business Zone, 5.32 Business and Manufacturing Zone, 5.33 Planned Commercial Zone, 5.34 Shopping Center Zone, 5.35 Highway Commercial Zone, 5.50 Business and Technology Park and 5.51 Employment

Center Zone of the Knox County Zoning Ordinance regarding locations of establishments selling beer for consumption on premises (amending Ordinance O-90-9-130, adopted September 10, 1990, as amended) on first reading. Commissioner Smith seconded the motion and upon roll call vote Commissioners McKenzie, Broyles, Norman, Ownby, Briggs, Anders, Smith, Wright, Brown, Hammond and Shouse voted aye. The motion carried 11-0-0-0.

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IN RE: CONSIDERATION OF AN ORDINANCE OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, AMENDING ARTICLE 5, SECTION 5.90 (TECHNOLOGY OVERLAY ZONE) OF THE KNOX COUNTY ZONING ORDINANCE TO REFLECT RECENT CHANGES TO THE TENNESSEE TECHNOLOGY CORRIDOR DEVELOPMENT AUTHORITY (TTCDA) ENABLING LEGISLATION (AMENDING ORDINANCE O-06-1-101, ADOPTED FEBRUARY 27, 2006) – O-11-7-104 – (FIRST READING):

Consideration of an Ordinance of the Commission of Knox County, Tennessee, amending Article 5, Section 5.90 (Technology Overlay Zone) of the Knox County Zoning Ordinance to reflect recent changes to the Tennessee Technology Corridor Development Authority (TTCDA) enabling legislation (amending Ordinance O-06-1-101, adopted February 27, 2006) was before the Board of Commissioners on first reading.

Commissioner Anders moved to approve Ordinance O-11-7-104 – Ordinance of the Commission of Knox County, Tennessee, amending Article 5, Section 5.90 (Technology Overlay Zone) of the Knox County Zoning Ordinance to reflect recent changes to the Tennessee Technology Corridor Development Authority (TTCDA) enabling legislation (amending Ordinance O-06-1-101, adopted February 27, 2006) on first reading. Commissioner Norman seconded the motion and upon roll call vote Commissioners McKenzie, Broyles, Norman, Ownby, Briggs, Anders, Smith, Wright, Brown, Hammond and Shouse voted aye. The motion carried 11-0-0-0.

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IN RE: ADJOURNMENT:

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

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KNOX COUNTY BOARD OF COMMISSIONERS

MIKE HAMMOND, CHAIRMAN