

***KNOX COUNTY BOARD OF COMMISSIONERS***

The Knox County Board of Commissioners met in Regular Session on Monday, November 19, 2007 at 4:00 p.m. in the Main Assembly Room of the City-County Building, Main Avenue. Those members present were Commissioners Strickland, Mark Harmon, Norman, Ivan Harmon, Hammond, Craig Leuthold, Lambert, Smith, Moore, Ballard and Pinkston. Also present were Mr. Mark Donaldson, Executive Director for Metropolitan Planning Commission, Mr. Ewing “Buzz” Johnson, Deputy Director for Metropolitan Planning Commission, Mr. John Owings, Knox County Law Director, Mr. Richard Walls, Knox County Internal Auditor, Mr. Mike Ragsdale, Knox County Mayor, Mr. John Troyer, Senior Director for Knox County Finance, and members of the news media.

Commissioner Moore, Chairman, presided.

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

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**IN RE: ROLL CALL:**

Mrs. Kim Ellis, Minutes Clerk in the Knox County Clerk’s Office, called the roll.

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**IN RE: AMENDMENTS TO THE AGENDA:**

1. Commissioner Mark Harmon moved to amend the agenda to defer the following items to the December 2007 Board of Commissioners meeting: Zoning Appeal 6-A-06-SP - Appeal by W.C. Development, owner, of MPC denial of Northwest County Sector Plan Amendment from LDR Low Density Residential and SLPA Slope Protection Area Zone to C Commercial and SLPA Slope Protection Area Zone, property located on the south side of Hardin Valley Road, east side of Thompson Road, Sixth Commission District; and Zoning Appeal 6-H-06-RZ - Appeal by W.C. Development, owner, of MPC denial of rezoning from PR Planned Residential Zone to CA General Business Zone, property located on the south side of Hardin Valley Road, east side of Thompson Road, Sixth Commission District. Commissioner Craig Leuthold seconded the motion and upon voice vote the motion carried 10-0-0-1. Commissioner Lambert was absent from the vote.

Mr. John King, Attorney representing W.C. Development, owner, was present and spoke on the matter.

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2. Commissioner Mark Harmon moved to amend the agenda to withdraw the following items: Zoning Appeal 07.034.0 – Appeal by John King for Bankeast of TTCDA denial of certificate of appropriateness for building permit for removal of approved cross access easement and driveway, property located southeast of Hardin Valley Road, northeast of Schaeffer Road, Sixth Commission District; and Zoning Appeal 07.035.0 – Appeal by John King for Bankeast of TTCDA approval of certificate of appropriateness for building permit for 11,200 square feet retail center to be located to the east of the Bankeast site, property located on the southeast side of Hardin Valley Road, southwest of Iron Gate Boulevard, Sixth Commission District. Commissioner Craig Leuthold seconded the motion and upon voice vote the motion carried 10-0-0-1. Commissioner Lambert was absent from the vote.

Mr. John King, appellant, was present and spoke on the matter.

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3. Commissioner Craig Leuthold moved to amend the agenda to defer the following items to the December 2007 Board of Commissioners meeting: Zoning Request 8-A-07-SP – Request of Michael C. Rhodes for South County Sector Plan Amendment from A/RR Agricultural/Rural Residential Zone to LDR Low Density Residential Zone, property located on the south and east sides of Stonecress Lane, south of West Ford Valley Road, Ninth Commission District; and Zoning Request 8-C-07-RZ – Request of Michael C. Rhodes for rezoning from A Agricultural Zone to PR Planned Residential Zone, property located on the south and east sides of Stonecress Lane, south of West Ford Valley Road, Ninth Commission District. Commissioner Pinkston seconded the motion and upon voice vote the motion carried 11-0-0-0.

Mr. John King, Attorney representing Michael C. Rhodes, petitioner, was present and spoke on the matter.

Ms. Melinda Lynch, area resident, was present and spoke in opposition to the request.

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4. At this time, there was discussion concerning a name change for the applicants for the following items: Zoning Request 9-D-07-SP – Request of Wescott Realty for Northwest County Sector Plan Amendment from LDR Low Density Residential and STPA Stream Protection Area to O Office and STPA Stream Protection Area, property located on the north side of Oak Ridge Highway, east of Karns Valley Drive, Sixth Commission District; and Zoning Request 9-F-07-RZ – Request of Wescott Realty for rezoning from A Agricultural and F Floodway Zone to OA Office Park and

F Floodway Zone, property located on the north side of Oak Ridge Highway, east of Karns Valley Drive, Sixth Commission District.

Mr. John Owings, Knox County Law Director, and Ms. Ellen Stevens Thomas, property owner, were present and spoke on the matter.

Commission Mark Harmon moved to amend the applicants name to read as follow for the following items: Zoning Request 9-D-07-SP Request of Ellen Stevens Thomas, Elizabeth Ann Lee and Barbara Jean Langford for Northwest County Sector Plan Amendment from LDR Low Density Residential and STPA Stream Protection Area to O Office and STPA Stream Protection Area, property located on the north side of Oak Ridge Highway, east of Karns Valley Drive, Sixth Commission District; and Zoning Request 9-F-07-RZ – Request of Ellen Stevens Thomas, Elizabeth Ann Lee and Barbara Jean Langford for rezoning from A Agricultural and F Floodway Zone to OA Office Park and F Floodway Zone, property located on the north side of Oak Ridge Highway, east of Karns Valley Drive, Sixth Commission District. Commissioner Lambert seconded the motion and upon voice vote the motion carried 11-0-0-0.

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**IN RE: ZONING REQUESTS:**

1. Consideration of the request of J.D. Robison for rezoning from A Agricultural Zone to RB General Residential Zone was before the Board of Commissioners. Property located on the southwest side of Old Clinton Highway, northeast of Clinton Highway. Sixth Commission District.

No one was present to represent the request.

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

Commissioner Moore deferred to the December 2007 Board of Commissioners meeting zoning request 11-Q-05-RZ – Request of J.D. Robison for rezoning from A Agricultural Zone to RB General Residential Zone. Property located on the southwest side of Old Clinton Highway, northeast of Clinton Highway. Sixth Commission District.

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2. Consideration of the request of The Fuller Group for Northwest County Sector Plan Amendment from A/RR Agricultural/Rural Residential to LDR Low Density Residential was before the Board of Commissioners. Property located on the southeast side of Hickory Creek Road, southeast of West Gallaher Ferry Road. Sixth Commission District.

Mr. Arthur Seymour, Attorney representing The Fuller Group, was present and spoke on the matter.

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

Commissioner Craig Leuthold moved to defer to the January 2008 Board of Commissioners meeting zoning request 4-D-07-SP – Request of The Fuller Group for Northwest County Sector Plan Amendment from A/RR Agricultural/Rural Residential to LDR Low Density Residential. Commissioner Norman seconded the motion and upon roll call vote Commissioners Strickland, Mark Harmon, Norman, Ivan Harmon, Hammond, Craig Leuthold, Lambert, Smith, Moore, Ballard and Pinkston voted aye. The motion carried 11-0-0-0. Property located on the southeast side of Hickory Creek Road, southeast of West Gallaher Ferry Road. Sixth Commission District.

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3. Consideration of the request of The Fuller Group for rezoning from A Agricultural Zone to PR Planned Residential Zone was before the Board of Commissioners. Property located on the southeast side of Hickory Creek Road, southeast of West Gallaher Ferry Road. Sixth Commission District.

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

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

Commissioner Craig Leuthold moved to defer to the January 2008 Board of Commissioners meeting zoning request 4-F-07-RZ - Request of The Fuller Group for rezoning from A Agricultural Zone to PR Planned Residential Zone. Commissioner Norman seconded the motion and upon roll call vote Commissioners Strickland, Mark Harmon, Norman, Ivan Harmon, Hammond, Craig Leuthold, Lambert, Smith, Moore, Ballard and Pinkston voted aye. The motion carried 11-0-0-0. Property located on the southeast side of Hickory Creek Road, southeast of West Gallaher Ferry Road. Sixth Commission District.

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4. Consideration of the request of Rod Townsend for a North County Sector Plan Amendment from LDR Low Density Residential Zone to MDR Medium Density Residential Zone was before the Board of Commissioners. Property located on the southeast side of East Beaver Creek Drive, northeast of Ghiradelli Road. Seventh Commission District.

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

Mr. Rod Townsend, petitioner, and Mr. Don Garrett, property owner, were present and spoke on behalf of the request.

Mr. John King, Attorney representing area residents, Mr. David Neely, adjoining property owner, and Ms. Sharon Smith, area resident, were present and spoke in opposition to the request.

Commissioner Smith moved to deny zoning request 8-D-07-SP Request of Rod Townsend for a North County Sector Plan Amendment from LDR Low Density Residential Zone to MDR Medium Density Residential Zone as per MPC's recommendation. Commissioner Ivan Harmon seconded the motion.

Commissioner Hammond moved as a substitute motion to deny rezoning request 8-D-07-SP - Request of Rod Townsend for a North County Sector Plan Amendment from LDR Low Density Residential Zone to MDR Medium Density Residential Zone as per MPC's recommendation. Commissioner Lambert seconded the motion and upon roll call vote Commissioners Hammond and Lambert voted aye. Commissioners Strickland, Mark Harmon, Norman, Ivan Harmon, Craig Leuthold, Smith, Moore, Ballard and Pinkston voted no. The substitute motion failed 2-9-0-0 and the property was not rezoned. Property located on the southeast side of East Beaver Creek Drive, northeast of Ghiradelli Road. Seventh Commission District.

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5. Consideration of the request of Rod Townsend for rezoning from A Agricultural Zone to PR Planned Residential Zone was before the Board of Commissioners. Property located on the southeast side of East Beaver Creek Drive, northeast of Ghiradelli Road. Seventh Commission District.

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

Mr. Rod Townsend, petitioner, and Mr. Don Garrett, property owner, were present and spoke on behalf of the request.

Mr. John King, Attorney representing area residents, Mr. David Neely, adjoining property owner, and Ms. Sharon Smith, area resident, were present and spoke in opposition to the request.

Commissioner Smith moved to approve zoning request 8-K-07-RZ - Request of Rod Townsend for rezoning from A Agricultural Zone to PR Planned Residential Zone at a density up to 3 dwelling units per acre. Commissioner Ivan Harmon seconded the motion.

Commissioner Hammond moved as a substitute motion to approve zoning request 8-K-07-RZ – Request of Rod Townsend for

rezoning from A Agricultural Zone to PR Planned Residential Zone at a density of 4 dwelling units per acre. Commissioner Lambert seconded the motion and upon roll call vote Commissioners Hammond and Lambert voted aye. Commissioners Strickland, Mark Harmon, Norman, Ivan Harmon, Craig Leuthold, Smith, Moore, Ballard and Pinkston voted no. The substitute motion failed 2-9-0-0 and the property was not rezoned. Property located on the southeast side of East Beaver Creek Drive, northeast of Ghiradelli Road. Seventh Commission District.

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6. Consideration of the request of Michael C. Rhodes for South County Sector Plan Amendment from A/RR Agricultural/Rural Residential Zone to LDR Low Density Residential Zone was before the Board of Commissioners. Property located on the south and east sides of Stonecress Lane, south of West Ford Valley Road. Ninth Commission District.

This item was deferred to the December 2007 Board of Commissioners meeting. (See Amendments to the Agenda, Page \_\_\_\_\_)

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7. Consideration of the request of Michael C. Rhodes for rezoning from A Agricultural Zone to PR Planned Residential Zone was before the Board of Commissioners. Property located on the south and east sides of Stonecress Lane, south of West Ford Valley Road. Ninth Commission District.

This item was deferred to the December 2007 Board of Commissioners meeting. (See Amendments to the Agenda, Page \_\_\_\_\_)

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8. Consideration of the request of Alex Schubert for West City Sector Plan Amendment from LDR Low Density Residential Zone to Office Zone was before the Board of Commissioners. Property located on the northwest side of South Northshore Drive, northeast side of Wallace Road. Fourth Commission District.

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

Ms. Laura Watts, area resident, and Mr. John King, Attorney, were present and spoke on the matter.

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

Commissioner Craig Leuthold moved to approve zoning request 9-C-07-SP – Request of Alex Schubert for West City Sector Plan Amendment from LDR Low Density Residential Zone to Office Zone with the conditions attached to the minutes. Commissioner Ballard seconded the

motion and upon roll call vote Commissioners Strickland, Mark Harmon, Norman, Ivan Harmon, Hammond, Craig Leuthold, Lambert, Smith, Moore, Ballard and Pinkston voted aye. The motion carried 11-0-0-0. Property located on the northwest side of South Northshore Drive, northeast side of Wallace Road. Fourth Commission District.

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9. Consideration of the request of Alex Schubert for rezoning from RA Low Density Residential to OA Office Park was before the Board of Commissioners. Property located on the northwest side of South Northshore Drive, northeast side of Wallace Road. Fourth Commission District.

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

Ms. Laura Watts, area resident, and Mr. John King, Attorney, were present and spoke on the matter.

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

Commissioner Craig Leuthold moved to approve zoning request 9-E-07-RZ – Request of Alex Schubert for rezoning from RA Low Density Residential to OA Office Park Zone with the conditions attached to the minutes. Commissioner Ballard seconded the motion and upon roll call vote Commissioners Strickland, Mark Harmon, Norman, Ivan Harmon, Hammond, Craig Leuthold, Lambert, Smith, Moore, Ballard and Pinkston voted aye. The motion carried 11-0-0-0. Property located on the northwest side of South Northshore Drive, northeast side of Wallace Road. Fourth Commission District.

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10. Consideration of the request of Ellen Stevens Thomas, Elizabeth Ann Lee and Barbara Jean Langford for Northwest County Sector Plan Amendment from LDR Low Density Residential and STPA Stream Protection Area to O Office and STPA Stream Protection Area was before the Board of Commissioners. Property located on the north side of Oak Ridge Highway, east of Karns Valley Drive. Sixth Commission District.

No one was present to represent the request.

Commissioner Moore deferred this item to the end of the day's agenda. (See Page \_\_\_\_\_)

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11. Consideration of the request of Ellen Stevens Thomas, Elizabeth Ann Lee and Barbara Jean Langford for rezoning from A Agricultural and F Floodway Zone to OA Office Park and F Floodway Zone

was before the Board of Commissioners. Property located on the north side of Oak Ridge Highway, east of Karns Valley Drive. Sixth Commission District.

No one was present to represent the request.

Commissioner Moore deferred this item to the end of the day's agenda. (See Page \_\_\_\_\_)

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12. Consideration of the request of Justin Mitchell for rezoning from I Industrial Zone to A Agricultural Zone was before the Board of Commissioners. Property located on the northwest side of Brackett Road, northeast of Bell Road. Eighth Commission District.

Commissioner Hammond moved to defer to the December 2007 Board of Commissioners meeting zoning request 10-G-07-RZ – Request of Justin Mitchell for rezoning from I Industrial Zone to A Agricultural Zone. Commissioner Smith seconded the motion and upon roll call vote Commissioners Strickland, Mark Harmon, Norman, Ivan Harmon, Hammond, Craig Leuthold, Lambert, Smith, Moore, Ballard and Pinkston voted aye. The motion carried 11-0-0-0. Property located on the northwest side of Brackett Road, northeast of Bell Road. Eighth Commission District.

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13. Consideration of the request of R & R Associates Property Group, Inc. for rezoning from A Agricultural Zone to PR Planned Residential Zone was before the Board of Commissioners. Property located on the northeast side of Greenwell Road, northwest of Crystal Point Drive. Seventh Commission District.

Commissioner Smith moved to approve zoning request 10-O-07-RZ – Request of R & R Associates Property Group, Inc. for rezoning from A Agricultural Zone to PR Planned Residential Zone at a density up to 3 dwelling units per acre as per MPC's recommendation. Commissioner Norman seconded the motion and upon roll call vote Commissioners Strickland, Mark Harmon, Norman, Ivan Harmon, Hammond, Craig Leuthold, Lambert, Smith, Moore, Ballard and Pinkston voted aye. The motion carried 11-0-0-0. Property located on the northeast side of Greenwell Road, northwest of Crystal Point Drive. Seventh Commission District.

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14. Consideration of the request of Briartowne, LLC for rezoning from A Agricultural Zone to PR Planned Residential Zone was before the Board of Commissioners. Property located on the northeast end of Fisher Lane, north of Hammer Road. Eighth Commission District.



No one was present to represent the request.

Commissioner Moore deferred to the December 2007 Board of Commissioners meeting zoning request 10-P-07-RZ – Request of Briartowne, LLC for rezoning from A Agricultural Zone to PR Planned Residential Zone. Property located on the northeast end of Fisher Lane, north of Hammer Road. Eighth Commission District.

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15. Consideration of the request of Legacy Development for Northeast County Sector Plan Amendment from A/RR Agricultural/Rural Residential/SLPA Slope Protection/STPA Stream Protection Zone to LDR Low Density Residential/SLPA Slope Protection/STPA Stream Protection Zone was before the Board of Commissioners. Property located on the north side of Brackett Road, northwest of East Emory Road, northeast of Bell Road. Eighth Commission District.

Mr. Robert Campbell, representing Legacy Development, was present and spoke on behalf of the request.

Commissioner Ballard moved to approve zoning request 10-F-07-SP - Request of Legacy Development for Northeast County Sector Plan Amendment from A/RR Agricultural/Rural Residential/SLPA Slope Protection/STPA Stream Protection Zone to LDR Low Density Residential/SLPA Slope Protection/STPA Stream Protection Zone as per MPC's recommendation. Commissioner Smith seconded the motion and upon roll call vote Commissioners Strickland, Norman, Ivan Harmon, Hammond, Craig Leuthold, Lambert, Smith, Moore, Ballard and Pinkston voted aye. Commissioner Mark Harmon voted no. The motion carried 10-1-0-0. Property located on the north side of Brackett Road, northwest of East Emory Road, northeast of Bell Road. Eighth Commission District.

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16. Consideration of the request of Legacy Development for rezoning from A Agricultural Zone to PR Planned Residential Zone was before the Board of Commissioners. Property located on the north side of Brackett Road, northwest of East Emory Road, northeast of Bell Road. Eighth Commission District.

Mr. Robert Campbell, representing Legacy Development, was present and spoke on behalf of the request.

Commissioner Ballard moved to approve zoning request 10-U-07-RZ – Request of Legacy Development for rezoning from A Agricultural Zone to PR Planned Residential Zone at a density up to 2 dwelling units per acre. Commissioner Smith seconded the motion and upon roll call vote Commissioners Strickland, Norman, Ivan Harmon, Hammond,

Craig Leuthold, Lambert, Smith, Moore, Ballard and Pinkston voted aye. Commissioner Mark Harmon voted no. The motion carried 10-1-0-0. Property located on the north side of Brackett Road, northwest of East Emory Road, northeast of Bell Road. Eighth Commission District.

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**IN RE: ZONING APPEALS:**

1. Consideration of the appeal by W.C. Development, owner, of MPC denial of Northwest County Sector Plan Amendment from LDR Low Density Residential and SLPA Slope Protection Area Zone to C Commercial and SLPA Slope Protection Area Zone was before the Board of Commissioners. Property located on the south side of Hardin Valley Road, east side of Thompson Road. Sixth Commission District.

This item was deferred to the December 2007 Board of Commissioners meeting. (See Amendments to the Agenda, Page \_\_\_\_\_)

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2. Consideration of the appeal by W.C. Development, owner, of MPC denial of rezoning from PR Planned Residential Zone to CA General Business Zone was before the Board of Commissioners. Property located on the south side of Hardin Valley Road, east side of Thompson Road. Sixth Commission District.

This item was deferred to the December 2007 Board of Commissioners meeting. (See Amendments to the Agenda, Page \_\_\_\_\_)

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3. Consideration of the appeal by Hardin Valley Land Partners, LLC, owner, of TTCDA approval of condition to use only high-pressure sodium lighting was before the Board of Commissioners. Property located on the northeast side of Valley Vista Road, southeast of Hardin Valley Road. Sixth Commission District.

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

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

Commissioner Lambert moved to approve zoning appeal 07.042.0 – Appeal by Hardin Valley Land Partners, LLC, owner, of TTCDA approval of condition to use only high-pressure sodium lighting. Commissioner Hammond seconded the motion and upon roll call vote Commissioners Ivan Harmon, Lambert and Moore voted aye. Commissioners Strickland, Mark Harmon, Norman, Hammond, Craig Leuthold, Smith, Ballard and Pinkston voted no. The motion failed 3-8-0-0.

Property located on the northeast side of Valley Vista Road, southeast of Hardin Valley Road. Sixth Commission District.

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4. Consideration of the appeal by John King for Bankeast of TTCDA denial of certificate of appropriateness for building permit for removal of approved cross access easement and driveway was before the Board of Commissioners. Property located southeast of Hardin Valley Road, northeast of Schaeffer Road. Sixth Commission District.

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

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5. Consideration of the appeal by John King for Bankeast of TTCDA approval of certificate of appropriateness for building permit for 11,200 square foot retail center to be located to the east of the Bankeast site was before the Board of Commissioners. Property located on the southeast side of Hardin Valley Road, southwest of Iron Gate Boulevard. Sixth Commission District.

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

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**IN RE: ZONING REQUESTS – (CONTINUED):**

17. Consideration of the request of Ellen Stevens Thomas, Elizabeth Ann Lee and Barbara Jean Langford for Northwest County Sector Plan Amendment from LDR Low Density Residential and STPA Stream Protection Area to O Office and STPA Stream Protection Area was before the Board of Commissioners. Property located on the north side of Oak Ridge Highway, east of Karns Valley Drive. Sixth Commission District.

Commissioner Ivan Harmon moved to approve zoning request 9-D-07-SP - Request of Ellen Stevens Thomas, Elizabeth Ann Lee and Barbara Jean Langford for Northwest County Sector Plan Amendment from LDR Low Density Residential and STPA Stream Protection Area to O Office and STPA Stream Protection Area as per MPC’s recommendation. Commissioner Lambert seconded the motion and upon roll call vote Commissioners Strickland, Mark Harmon, Norman, Ivan Harmon, Hammond, Craig Leuthold, Lambert, Smith, Moore, Ballard and Pinkston voted aye. The motion carried 11-0-0-0. Property located on the north side of Oak Ridge Highway, east of Karns Valley Drive. Sixth Commission District.

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18. Consideration of the request of Ellen Stevens Thomas, Elizabeth Ann Lee and Barbara Jean Langford for rezoning from A Agricultural and F Floodway Zone to OA Office Park and F Floodway Zone, property located on the north side of Oak Ridge Highway, east of Karns Valley Drive. Sixth Commission District.

Commissioner Ivan Harmon moved to approve zoning request 9-F-07-RZ – Request of Ellen Stevens Thomas, Elizabeth Ann Lee and Barbara Jean Langford for rezoning from A Agricultural and F Floodway Zone to OA Office Park and F Floodway Zone as per MPC’s recommendation. Commissioner Lambert seconded the motion and upon roll call vote Commissioners Strickland, Mark Harmon, Norman, Ivan Harmon, Hammond, Craig Leuthold, Lambert, Smith, Moore, Ballard and Pinkston voted aye. The motion carried 11-0-0-0. Property located on the north side of Oak Ridge Highway, east of Karns Valley Drive. Sixth Commission District.

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**IN RE:**        **ROLL CALL – (5:25 P.M.)**

Mrs. Martha Beeler, Administrative Assistant in the Knox County Clerk’s Office, called the roll.

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**IN RE:**        **DEVOTIONAL:**

Reverend Scott Horne, Pastor at West Hills Presbyterian Church, gave the devotional.

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**IN RE:**        **PLEDGE OF ALLEGIANCE TO THE FLAG:**

Commissioner Pinkston led the Pledge of Allegiance to the Flag.

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

5. Commissioner Moore amended the agenda to remove the following from the Consent Calendar and that they be heard after completion of the Consent Items: Resolution R-07-11-101 - Consideration of a Resolution of the Commission of Knox County, Tennessee, honoring the Farragut Boys Soccer Team; Resolution R-07-11-102 - Consideration of a Resolution of the Commission of Knox County, Tennessee, honoring the Christian Academy of Knoxville Girls Soccer Team for winning the Class A/AA Title; and Resolution R-07-11-103 - Consideration of a Resolution of the Commission of Knox County, Tennessee, honoring the Bearden High School Girls Soccer Team for winning the State Championship.

6. Without objection, Commissioner Moore amended the agenda to withdraw the following items: Resolution R-07-11-501 - Consideration of a Resolution of the Commission of Knox County, Tennessee, approving an agreement with Tennessee Conference Community Development to provide \$78,000.00 for the construction of one home for a first time homebuyer and operating funds; R-07-11-804 - Consideration of a Resolution of the Commission of Knox County, Tennessee, determining the method of disposal of a surplus lot located at 0 Volena Place in South Knoxville; Resolution R-07-11-902 - Consideration of a Resolution of the Commission of Knox County, Tennessee, approving a contract with \_\_\_\_\_ to provide an on-site Wellness Center for eligible Knox County employees; and Resolution R-07-11-915 - Consideration of a Resolution of the Commission of Knox County, Tennessee, requiring any “hybrid” employee, independent contractor or others failing to meet the 30-hour work requirement and seeking benefits from Knox County to receive approval from the Knox County Commission before receiving such benefits.

7. Without objection, Commissioner Moore amended the agenda to add the following items: Resolution R-07-11-104 - Consideration of a Resolution of the Commission of Knox County, Tennessee, memorializing Bert Weaver; Resolution R-07-11-917 - Consideration of a Resolution of the Commission of Knox County, Tennessee, requesting the Tennessee State Legislature to apply the requirements of the Open Meetings Act to its members; Resolution R-07-11-918 - Consideration of a Resolution of the Commission of Knox County, Tennessee, to fill the vacancies in accordance with Article II, Section 2 of the Tennessee Constitution; and Ordinance O-07-11-104 - Consideration of an Ordinance of the Commission of Knox County, Tennessee, amending Ordinance O-04-5-101(A) by substituting the term “six dollars (\$6)” for the term “thirty-six dollars (\$36)” wherever it appears in the Ordinance (Ordinance O-04-5-101(A) as amended, effective July 13, 2004).

8. Without objection, Commissioner Moore amended the agenda to defer the following item to the December 2007 Board of Commissioners meeting: Resolution R-07-11-916 - Consideration of a Resolution of the Commission of Knox County, Tennessee, approving an audit by Richard Walls, the Knox County Internal Auditor, in regards to the Health Benefits premium paid/payable or past due for the Knox County contract tax attorney from either the contract tax attorney or the Knox County Trustee’s office.

9. Without objection, Commissioner Moore amended the agenda to add the following item: Resolution R-07-11-404 - Consideration

of a Resolution of the Commission of Knox County, Tennessee, approving covenants for permanent maintenance of stormwater facilities by CBJ, LLC & Fulton Properties, LLC for property located at 0 Saylor's Ford Road.

10. Without objection, Commissioner Moore amended the agenda to withdraw the following item: Drives and Roads – Item A – Consideration of closure of Rugby Lane on second reading, property located off Ruggles Ferry Pike, Walter McMillan and George Hoskins, property owner.

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

11. Commissioner Moore amended the agenda to remove the following items from the Consent Calendar: Resolution R-07-11-803 - Consideration of a Resolution of the Commission of Knox County, Tennessee, determining the method of disposal of a vacant surplus lot located at 0 Dandridge Avenue; and Resolution R-07-11-801 - Consideration of a Resolution of the Commission of Knox County, Tennessee, approving an agreement with Community Television of Knoxville, Inc. for community access programming.

12. Commissioner Moore amended the agenda to add the following item to the Education Consent Calendar: Resolution R-07-11-201 Consideration of a Resolution of the Commission of Knox County, Tennessee, approving a contract in the amount of \$345,000.00 with McGaha Electric for fire alarm upgrades at Halls High School.

13. Without objection, Commissioner Moore amended the agenda to defer the following item to the December 2007 Board of Commissioners meeting: Resolution R-07-11-104 - Consideration of a Resolution of the Commission of Knox County, Tennessee, memorializing Bert Weaver.

14. Without objection, Commissioner Moore amended the agenda to add the following item: Resolution R-07-11-806- Consideration of a Resolution of the Commission of Knox County, Tennessee, approving a lease agreement between Knox County Schools and Mooreland Heights Baptist Church.

15. Commissioner Moore amended the agenda to add the following item: Resolution R-07-11-112 - Consideration of a Resolution of the Commission of Knox County, Tennessee, approving the appointment of Thomas Deakins to the Ethics Committee.

16. Without objection, Commissioner Moore amended the agenda to hear the following item after the Consent Calendar: Ordinance

O-07-11-104 - Consideration of an Ordinance of the Commission of Knox County, Tennessee, amending Ordinance O-04-5-101(A) by substituting the term “six dollars (\$6)” for the term “thirty-six dollars (\$36)” wherever it appears in the Ordinance (Ordinance O-04-5-101(A) as amended, effective July 13, 2004).

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**IN RE: CONSENT ITEMS:**

1. Tax Refunds:  
No request received.

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2. Notary Public Applications:  
134 Notary Public Applications received.

Commissioner Craig Leuthold moved to approve all Consent Items. Commissioner Ivan Harmon seconded the motion and upon roll call vote Commissioners Strickland, Mark Harmon, Norman, Ivan Harmon, Hammond, Craig Leuthold, Lambert, Smith, Moore, Ballard and Pinkston voted aye. The motion carried 11-0-0-0.

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**IN RE: RESOLUTIONS:**

**IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, HONORING THE FARRAGUT BOYS SOCCER TEAM – R-07-11-101:**

Consideration of a Resolution of the Commission of Knox County, Tennessee, honoring the Farragut Boys Soccer Team was before the Board of Commissioners.

Commissioner Pinkston moved to approve Resolution R-07-11-101 - Resolution of the Commission of Knox County, Tennessee, honoring the Farragut Boys Soccer Team. Commissioner Ballard seconded the motion and upon roll call vote Commissioners Strickland, Mark Harmon, Norman, Ivan Harmon, Hammond, Craig Leuthold, Lambert, Smith, Moore, Ballard and Pinkston voted aye. The motion carried 11-0-0-0.

Mrs. Martha Beeler, Administrative Assistant in the Knox County Clerk’s Office, read the resolution into the record.

Coach Wallie Culbreth, and the Farragut High School Boys’ Soccer Team, were present to accept the resolution and expressed appreciation to the commission for the resolution.

The caption was revised to read as follows: Resolution of the Commission of Knox County, Tennessee, honoring the Farragut High School Boys’ Soccer Team.

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**IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, HONORING THE CHRISTIAN ACADEMY OF KNOXVILLE GIRLS SOCCER TEAM FOR WINNING THE CLASS A/AA TITLE - R-07-11-102:**

Consideration of a Resolution of the Commission of Knox County, Tennessee, honoring the Christian Academy of Knoxville Girls Soccer Team for winning the Class A/AA Title was before the Board of Commissioners.

Commissioner Pinkston moved to approve Resolution R-07-11-102 - Resolution of the Commission of Knox County, Tennessee, honoring the Christian Academy of Knoxville Girls Soccer Team for winning the Class A/AA Title. Commissioner Ballard seconded the motion and upon roll call vote Commissioners Strickland, Mark Harmon, Norman, Ivan Harmon, Hammond, Craig Leuthold, Lambert, Smith, Moore, Ballard and Pinkston voted aye. The motion carried 11-0-0-0.

Mrs. Martha Beeler, Administrative Assistant in the Knox County Clerk's Office, read the resolution into the record.

Coach Nathan Pifer was present to accept the resolution and expressed appreciation to the commission for the resolution.

The caption was revised to read as follows: Resolution of the Commission of Knox County, Tennessee, honoring the Christian Academy of Knoxville Girls' Soccer Team for winning the 2006-2007 TSSAA Class A/AA State Soccer Championship.

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**IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, HONORING THE BEARDEN HIGH SCHOOL GIRLS SOCCER TEAM FOR WINNING THE STATE CHAMPIONSHIP - R-07-11-103:**

Consideration of a Resolution of the Commission of Knox County, Tennessee, honoring the Bearden High School Girls Soccer Team for winning the State Championship was before the Board of Commissioners.

Commissioner Pinkston moved to approve Resolution R-07-11-103 - Resolution of the Commission of Knox County, Tennessee, honoring the Bearden High School Girls Soccer Team for winning the State Championship. Commissioner Ballard seconded the motion and upon roll call vote Commissioners Strickland, Mark Harmon, Norman, Ivan Harmon, Hammond, Craig Leuthold, Lambert, Smith, Moore, Ballard and Pinkston voted aye. The motion carried 11-0-0-0.



Mrs. Martha Beeler, Administrative Assistant in the Knox County Clerk's Office, read the resolution into the record.

Coach Eric Turner and the Bearden High School Girls Soccer Team, were present to accept the resolution and expressed appreciation to the commission for the resolution.

The caption was revised to read as follows: Resolution of the Commission of Knox County, Tennessee, honoring the Bearden High School Girls' Soccer Team for winning the TSSAA Class AAA State Soccer Championship.

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**IN RE: EDUCATION CONSENT CALENDAR:**

**IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, APPROVING A CONTRACT IN THE AMOUNT OF \$345,000.00 WITH MCGAHA ELECTRIC FOR FIRE ALARM UPGRADES AT HALLS HIGH SCHOOL - R-07-11-201:**

Consideration of a Resolution of the Commission of Knox County, Tennessee, approving a contract in the amount of \$345,000.00 with McGaha Electric for fire alarm upgrades at Halls High School was before the Board of Commissioners.

Commissioner Ivan Harmon moved to approve Resolution R-07-11-201 - Resolution of the Commission of Knox County, Tennessee, approving a contract in the amount of \$345,000.00 with McGaha Electric for fire alarm upgrades at Halls High School. Commissioner Mark Harmon seconded the motion and upon roll call vote Commissioners Strickland, Mark Harmon, Norman, Ivan Harmon, Hammond, Craig Leuthold, Lambert, Smith, Moore, Ballard and Pinkston voted aye. The motion carried 11-0-0-0.

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**IN RE: CONSENT CALENDAR:**

**IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, HONORING THE FARRAGUT BOYS SOCCER TEAM - R-07-11-101:**

This item was heard earlier on the day's agenda. (See Page \_\_\_\_\_)

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

**CHRISTIAN ACADEMY OF KNOXVILLE GIRLS SOCCER TEAM FOR WINNING THE CLASS A/AA TITLE - R-07-11-102:**

This item was heard earlier on the day's agenda. (See Page \_\_\_\_\_)

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**IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, HONORING THE BEARDEN HIGH SCHOOL GIRLS SOCCER TEAM FOR WINNING THE STATE CHAMPIONSHIP - R-07-11-103:**

This item was heard earlier on the day's agenda. (See Page \_\_\_\_\_)

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**IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, MEMORIALIZING BERT WEAVER – R-07-11-104:**

This item was deferred to the December 2007 Board of Commissioners meeting. (See Amendments to the Agenda, Page \_\_\_\_\_)

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**IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, APPROVING COVENANTS FOR PERMANENT MAINTENANCE OF STORMWATER FACILITIES BY BEACON PARK, LLC FOR PROPERTY LOCATED AT 2508 CHANDLER ROAD – R-07-11-401:**

Consideration of a Resolution of the Commission of Knox County, Tennessee, approving covenants for permanent maintenance of stormwater facilities by Beacon Park, LLC for property located at 2508 Chandler Road was before the Board of Commissioners.

Commissioner Craig Leuthold moved to approve Resolution R-07-11-401 - Resolution of the Commission of Knox County, Tennessee, approving covenants for permanent maintenance of stormwater facilities by Beacon Park, LLC for property located at 2508 Chandler Road. Commissioner Smith seconded the motion and upon roll call vote Commissioners Strickland, Mark Harmon, Norman, Ivan Harmon, Hammond, Craig Leuthold, Lambert, Smith, Moore, Ballard and Pinkston voted aye. The motion carried 11-0-0-0.

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**IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, APPROVING COVENANTS FOR PERMANENT MAINTENANCE OF**

**STORMWATER FACILITIES BY TIMBER OUTLETS INVESTMENT, LLC FOR PROPERTY LOCATED AT VILLAS AT TIMBERLAKE – R-07-11-402:**

Consideration of a Resolution of the Commission of Knox County, Tennessee, approving covenants for permanent maintenance of stormwater facilities by Timber Outlets Investment, LLC for property located at Villas at Timberlake was before the Board of Commissioners.

Commissioner Craig Leuthold moved to approve Resolution R-07-11-402 - Resolution of the Commission of Knox County, Tennessee, approving covenants for permanent maintenance of stormwater facilities by Timber Outlets Investment, LLC for property located at Villas at Timberlake. Commissioner Smith seconded the motion and upon roll call vote Commissioners Strickland, Mark Harmon, Norman, Ivan Harmon, Hammond, Craig Leuthold, Lambert, Smith, Moore, Ballard and Pinkston voted aye. The motion carried 11-0-0-0.

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**IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, APPROVING COVENANTS FOR PERMANENT MAINTENANCE OF STORMWATER FACILITIES BY B & J ENTERPRISES FOR PROPERTY LOCATED AT KARNS VALLEY DRIVE – R-07-11-403:**

Consideration of a Resolution of the Commission of Knox County, Tennessee, approving covenants for permanent maintenance of stormwater facilities by B & J Enterprises for property located at Karns Valley Drive was before the Board of Commissioners.

Commissioner Craig Leuthold moved to approve Resolution R-07-11-403 - Resolution of the Commission of Knox County, Tennessee, approving covenants for permanent maintenance of stormwater facilities by B & J Enterprises for property located at Karns Valley Drive. Commissioner Smith seconded the motion and upon roll call vote Commissioners Strickland, Mark Harmon, Norman, Ivan Harmon, Hammond, Craig Leuthold, Lambert, Smith, Moore, Ballard and Pinkston 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, AMENDING 2007-2008 COMMUNITY GRANT RECIPIENT OF \$17,000.00 FROM MINORITY HEALTH SUMMIT TO THE TENNESSEE DEPARTMENT OF HEALTH, DIVISION OF MINORITY HEALTH – R-07-11-502:**

Consideration of a Resolution of the Commission of Knox County, Tennessee, amending 2007-2008 Community Grant Recipient of \$17,000.00 from Minority Health Summit to the Tennessee Department of Health, Division of Minority Health was before the Board of Commissioners.

Commissioner Craig Leuthold moved to approve Resolution R-07-11-502 - Resolution of the Commission of Knox County, Tennessee, amending 2007-2008 Community Grant Recipient of \$17,000.00 from Minority Health Summit to the Tennessee Department of Health, Division of Minority Health. Commissioner Smith seconded the motion and upon roll call vote Commissioners Strickland, Mark Harmon, Norman, Ivan Harmon, Hammond, Craig Leuthold, Lambert, Smith, Moore, Ballard and Pinkston voted aye. The motion carried 11-0-0-0.

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**IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, APPROVING AMENDMENT ONE TO A GRANT AGREEMENT WITH THE TENNESSEE DEPARTMENT OF HEALTH FOR HIV/AIDS PREVENTION, SURVEILLANCE AND SEXUALLY TRANSMITTED DISEASE SERVICES – R-07-11-601:**

Consideration of a Resolution of the Commission of Knox County, Tennessee, approving Amendment One to a grant agreement with the Tennessee Department of Health for HIV/AIDS Prevention, surveillance and sexually transmitted disease services was before the Board of Commissioners.

Commissioner Craig Leuthold moved to approve Resolution R-07-11-601 - Resolution of the Commission of Knox County, Tennessee, approving Amendment One to a grant agreement with the Tennessee Department of Health for HIV/AIDS Prevention, surveillance and sexually transmitted disease services. Commissioner Smith seconded the motion and upon roll call vote Commissioners Strickland, Mark Harmon, Norman, Ivan Harmon, Hammond, Craig Leuthold, Lambert, Smith, Moore, Ballard and Pinkston 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 Amendment One to a grant agreement with the Tennessee Department of Health for HIV/AIDS Prevention, surveillance and sexually transmitted disease (STD) services.

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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 \$70,000.00 WITH THE BOYS' AND GIRLS' CLUBS OF THE TENNESSEE VALLEY FOR THE PROVISION OF SERVICES RELATED TO THE ENHANCED COMMUNITY PREVENTION INITIATIVE – R-07-11-602:**

Consideration of a Resolution of the Commission of Knox County, Tennessee, approving a grant agreement in the amount of \$70,000.00 with the Boys' and Girls' Clubs of the Tennessee Valley for the provision of services related to the Enhanced Community Prevention Initiative was before the Board of Commissioners.

Commissioner Craig Leuthold moved to approve Resolution R-07-11-602 - Resolution of the Commission of Knox County, Tennessee, approving a grant agreement in the amount of \$70,000.00 with the Boys' and Girls' Clubs of the Tennessee Valley for the provision of services related to the Enhanced Community Prevention Initiative. Commissioner Smith seconded the motion and upon roll call vote Commissioners Strickland, Mark Harmon, Norman, Ivan Harmon, Hammond, Craig Leuthold, Lambert, Smith, Moore, Ballard and Pinkston voted aye. The motion carried 11-0-0-0.

Commissioner Smith made disclosure that he serves on the Boys' and Girls' Club prior to voting on the matter.

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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 \$239,800.00 WITH THE STATE OF TENNESSEE DEPARTMENT OF HEALTH FOR IMMUNIZATION SERVICES FOR 2008 – R-07-11-603:**

Consideration of a Resolution of the Commission of Knox County, Tennessee, approving a grant agreement in the amount of \$239,800.00 with the State of Tennessee Department of Health for Immunization Services for 2008 was before the Board of Commissioners.

Commissioner Craig Leuthold moved to approve Resolution R-07-11-603 - Resolution of the Commission of Knox County, Tennessee, approving a grant agreement in the amount of \$239,800.00 with the State of Tennessee Department of Health for Immunization Services for 2008. Commissioner Smith seconded the motion and upon roll call vote Commissioners Strickland, Mark Harmon, Norman, Ivan Harmon, Hammond, Craig Leuthold, Lambert, Smith, Moore, Ballard and Pinkston 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, ACCEPTING A DONATION OF \$30,000.00 FROM THE CEDAR BLUFF – FARRAGUT OPTIMIST CLUB FOR ASSISTANCE IN THE CONSTRUCTION OF A RESTROOM/STORAGE FACILITY AT CONCORD PARK FOR THE GIRL’S SOFTBALL PROGRAM – R-0-7-11-701:**

Consideration of a Resolution of the Commission of Knox County, Tennessee, accepting a donation of \$30,000.00 from the Cedar Bluff – Farragut Optimist Club for assistance in the construction of a restroom/storage facility at Concord Park for the Girl’s Softball Program was before the Board of Commissioners.

Commissioner Craig Leuthold moved to approve Resolution R-07-11-701 - Resolution of the Commission of Knox County, Tennessee, accepting a donation of \$30,000.00 from the Cedar Bluff – Farragut Optimist Club for assistance in the construction of a restroom/storage facility at Concord Park for the Girl’s Softball Program. Commissioner Smith seconded the motion and upon roll call vote Commissioners Strickland, Mark Harmon, Norman, Ivan Harmon, Hammond, Craig Leuthold, Lambert, Smith, Moore, Ballard and Pinkston 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, APPROPRIATING \$500,000.00 TO THE TOMMY SCHUMPERT PARK PROJECT FROM THE APPROVED CAPITAL PLAN’S 2008-2009 ALLOCATION – R-07-11-702:**

Consideration of a Resolution of the Commission of Knox County, Tennessee, appropriating \$500,000.00 to the Tommy Schumpert Park project from the approved Capital Plan’s 2008-2009 allocation was before the Board of Commissioners.

Commissioner Craig Leuthold moved to approve Resolution R-07-11-702 - Resolution of the Commission of Knox County, Tennessee, appropriating \$500,000.00 to the Tommy Schumpert Park project from the approved Capital Plan’s 2008-2009 allocation. Commissioner Smith seconded the motion and upon roll call vote Commissioners Strickland, Mark Harmon, Norman, Ivan Harmon, Hammond, Craig Leuthold, Lambert, Smith, Moore, Ballard and Pinkston voted aye. The motion carried 11-0-0-0.

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**IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, APPROVING AN AGREEMENT WITH COMMUNITY TELEVISION OF KNOXVILLE, INC. FOR COMMUNITY ACCESS PROGRAMMING – R-07-11-801:**

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

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**IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, APPROVING THE DONATION OF THREE PICKUP TRUCKS TO THE PUBLIC BUILDING AUTHORITY AND THE TRANSFER OF TWO VEHICLES FROM PBA TO KNOX COUNTY SURPLUS – R-07-11-802:**

Consideration of a Resolution of the Commission of Knox County, Tennessee, approving the donation of three pickup trucks to the Public Building Authority and the transfer of two vehicles from PBA to Knox County surplus was before the Board of Commissioners.

Commissioner Craig Leuthold moved to approve Resolution R-07-11-802 - Resolution of the Commission of Knox County, Tennessee, approving the donation of three pickup trucks to the Public Building Authority and the transfer of two vehicles from PBA to Knox County surplus. Commissioner Smith seconded the motion and upon roll call vote Commissioners Strickland, Mark Harmon, Norman, Ivan Harmon, Hammond, Craig Leuthold, Lambert, Smith, Moore, Ballard and Pinkston 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 the donation of three pickup trucks to the Public Building Authority (PBA) and the transfer of two vehicles from PBA to Knox County surplus.

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**IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, DETERMINING THE METHOD OF DISPOSAL OF A VACANT SURPLUS LOT LOCATED AT 0 DANDRIDGE AVENUE – R-07-11-803:**

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

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**IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, EXPRESSING KNOX COUNTY'S INTENT TO LEASE THE OLD GALBRAITH SCHOOL TO THE RETURN TO TORAH MINISTRIES – R-07-11-901:**

Consideration of a Resolution of the Commission of Knox County, Tennessee, expressing Knox County's intent to lease the Old Galbraith School to the Return to Torah Ministries was before the Board of Commissioners.

Commissioner Craig Leuthold moved to approve Resolution R-07-11-901 - Resolution of the Commission of Knox County, Tennessee, expressing Knox County's intent to lease the Old Galbraith School to the Return to Torah Ministries. Commissioner Smith seconded the motion and upon roll call vote Commissioners Strickland, Mark Harmon, Norman, Ivan Harmon, Hammond, Craig Leuthold, Lambert, Smith, Moore, Ballard and Pinkston 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 \$55,189.08 WITH MCQUIDDY PRINTING COMPANY FOR PRINTING SERVICES – R-07-11-903:**

Consideration of a Resolution of the Commission of Knox County, Tennessee, approving a contract in the amount of \$55,189.08 with McQuiddy Printing Company for printing services was before the Board of Commissioners.

Commissioner Craig Leuthold moved to approve Resolution R-07-11-903 - Resolution of the Commission of Knox County, Tennessee, approving a contract in the amount of \$55,189.08 with McQuiddy Printing Company for printing services. Commissioner Smith seconded the motion and upon roll call vote Commissioners Strickland, Mark Harmon, Norman, Ivan Harmon, Hammond, Craig Leuthold, Lambert, Smith, Moore, Ballard and Pinkston 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, DIRECTING THE REMAINING FUNDS APPROPRIATED FOR THE SOUTH KNOX SENIOR CENTER TO REMAIN IN THE PUBLIC IMPROVEMENT FUND FOR THE SOUTH KNOX SENIOR CENTER PROJECT – R-07-11-905:**

Consideration of a Resolution of the Commission of Knox County, Tennessee, directing the remaining funds appropriated for the South Knox Senior Center to remain in the Public Improvement Fund for the South Knox Senior Center Project was before the Board of Commissioners.

Commissioner Craig Leuthold moved to approve Resolution



R-07-11-905 - Resolution of the Commission of Knox County, Tennessee, directing the remaining funds appropriated for the South Knox Senior Center to remain in the Public Improvement Fund for the South Knox Senior Center Project. Commissioner Smith seconded the motion and upon roll call vote Commissioners Strickland, Mark Harmon, Norman, Ivan Harmon, Hammond, Craig Leuthold, Lambert, Smith, Moore, Ballard and Pinkston voted aye. The motion carried 11-0-0-0.

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**IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, APPROVING AN AGREEMENT WITH THE CITY OF KNOXVILLE FOR A RECYCLING CENTER LOCATED AT 400 STATE STREET – R-07-11-906:**

Consideration of a Resolution of the Commission of Knox County, Tennessee, approving an agreement with the City of Knoxville for a Recycling Center located at 400 State Street was before the Board of Commissioners.

Commissioner Craig Leuthold moved to approve Resolution R-07-11-906 - Resolution of the Commission of Knox County, Tennessee, approving an agreement with the City of Knoxville for a Recycling Center located at 400 State Street. Commissioner Smith seconded the motion and upon roll call vote Commissioners Strickland, Mark Harmon, Norman, Ivan Harmon, Hammond, Craig Leuthold, Lambert, Smith, Moore, Ballard and Pinkston 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 \$64,000.00 WITH THE EAST TENNESSEE FOUNDATION FOR THE 2007 REGIONAL SENIOR SUMMIT – R-07-11-907:**

Consideration of a Resolution of the Commission of Knox County, Tennessee, approving a grant agreement in the amount of \$64,000.00 with the East Tennessee Foundation for the 2007 Regional Senior Summit was before the Board of Commissioners.

Commissioner Craig Leuthold moved to approve Resolution R07-11-907 - Resolution of the Commission of Knox County, Tennessee, approving a grant agreement in the amount of \$64,000.00 with the East Tennessee Foundation for the 2007 Regional Senior Summit. Commissioner Smith seconded the motion and upon roll call vote Commissioners Strickland, Mark Harmon, Norman, Ivan Harmon, Hammond, Craig

Leuthold, Lambert, Smith, Moore, Ballard and Pinkston 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 \$80,318.97 WITH THE EAST TENNESSEE FOUNDATION FOR THE IMAGINATION LIBRARY PROGRAM – R-07-11-908:**

Consideration of a Resolution of the Commission of Knox County, Tennessee, approving a grant agreement in the amount of \$80,318.97 with the East Tennessee Foundation for the Imagination Library Program was before the Board of Commissioners.

Commissioner Craig Leuthold moved to approve Resolution R-07-11-908 - Resolution of the Commission of Knox County, Tennessee, approving a grant agreement in the amount of \$80,318.97 with the East Tennessee Foundation for the Imagination Library Program. Commissioner Smith seconded the motion and upon roll call vote Commissioners Strickland, Mark Harmon, Norman, Ivan Harmon, Hammond, Craig Leuthold, Lambert, Smith, Moore, Ballard and Pinkston 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, ACCEPTING THE DONATION AND APPROPRIATING \$2,500.00 FOR THE KNOX COUNTY MAYOR’S “READ WITH ME” PROGRAM – R-07-11-909:**

Consideration of a Resolution of the Commission of Knox County, Tennessee, accepting the donation and appropriating \$2,500.00 for the Knox County Mayor’s “Read With Me” Program was before the Board of Commissioners.

Commissioner Craig Leuthold moved to approve Resolution R-07-11-909 - Resolution of the Commission of Knox County, Tennessee, accepting the donation and appropriating \$2,500.00 for the Knox County Mayor’s “Read With Me” Program. Commissioner Smith seconded the motion and upon roll call vote Commissioners Strickland, Mark Harmon, Norman, Ivan Harmon, Hammond, Craig Leuthold, Lambert, Smith, Moore, Ballard and Pinkston 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 AUTHORIZE AN ACTUARIAL STUDY OF THE COSTS ASSOCIATED WITH**

**ALLOWING CURRENT AND FORMER COUNTY 100 AND COUNTY OFFICIALS OF KNOX COUNTY TO ESTABLISH PRIOR SERVICE CREDIT IN THE TENNESSEE CONSOLIDATED RETIREMENT SYSTEM PURSUANT TO TENNESSEE CODE ANNOTATED, SECTION 8-35-116(B)(2) – R-07-11-910:**

Consideration of a Resolution of the Commission of Knox County, Tennessee, to authorize an actuarial study of the costs associated with allowing current and former county 100 and county officials of Knox County to establish prior service credit in the Tennessee Consolidated Retirement System pursuant to Tennessee Code Annotated, Section 8-35-116(b)(2) was before the Board of Commissioners.

Commissioner Craig Leuthold moved to approve Resolution R-07-11-910 - Resolution of the Commission of Knox County, Tennessee, to authorize an actuarial study of the costs associated with allowing current and former county 100 and county officials of Knox County to establish prior service credit in the Tennessee Consolidated Retirement System pursuant to Tennessee Code Annotated, Section 8-35-116(b)(2). Commissioner Smith seconded the motion and upon roll call vote Commissioners Strickland, Mark Harmon, Norman, Ivan Harmon, Hammond, Craig Leuthold, Lambert, Smith, Moore, Ballard and Pinkston 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, ACCEPTING THE REPORT REGARDING THE FIVE MILLION DOLLAR COMMITMENT TO THE PELLISSIPPI RESEARCH CENTER IN BLOUNT COUNTY – R-07-11-914:**

Consideration of a Resolution of the Commission of Knox County, Tennessee, accepting the report regarding the five million dollar commitment to the Pellissippi Research Center in Blount County was before the Board of Commissioners.

Commissioner Craig Leuthold moved to approve Resolution R-07-11-914 - Resolution of the Commission of Knox County, Tennessee, accepting the report regarding the five million dollar commitment to the Pellissippi Research Center in Blount County. Commissioner Smith seconded the motion and upon roll call vote Commissioners Strickland, Mark Harmon, Norman, Ivan Harmon, Hammond, Craig Leuthold, Lambert, Smith, Moore, Ballard and Pinkston voted aye. The motion carried 11-0-0-0.

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

Consideration of acceptance of the following new county roads was before the Intergovernmental Committee:

- A. Stratford Park Boulevard, Stratford Park Subdivision, Unit I, District 7.
- B. Ivy Hollow Drive, Reagan Landing Subdivision, Unit I, District 5.
- C. Jessica Taylor Drive, Reagan Landing Subdivision, Unit I, District 5.
- D. Macy Blair Road, Reagan Landing Subdivision, Unit I, District 5.
- E. Merida Drive, Reagan Landing Subdivision, Unit I, District 5.
- F. Clover Ridge Lane, Reagan Landing Subdivision, Unit I, District 5.
- G. Beaver Trace Lane, Reagan Landing Subdivision, Unit I, District 5.
- H. Nicholas View Lane, Reagan Landing Subdivision, Unit I, District 5.
- I. Poppy Land, Summer Hill Subdivision, Unit I, District 4.
- J. Branch Field Lane, Wood Run Subdivision, Unit I, District 7.
- K. Hannahs Park in the Hannah's Park Subdivision, Unit I, District 7.
- L. Kate Brook Lane, Hannah's Park Subdivision, Unit I, District 7.
- M. Canter Lane, Trotters Gate Subdivision, Unit III, District 7.
- N. Private Springs Drive, Private Drive Subdivision, Unit I, District 4.

Commissioner Craig Leuthold moved to approve the above acceptance of new county roads. Commissioner Smith seconded the motion and upon roll call vote Commissioners Strickland, Mark Harmon, Norman, Ivan Harmon, Hammond, Craig Leuthold, Lambert, Smith, Moore, Ballard and Pinkston voted aye. The motion carried 11-0-0-0.

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**IN RE: APPROVAL OF MINUTES OF PREVIOUS MEETING:**

Consideration of approval of minutes of the previous meeting held on October 22, 2007 (Regular Session) was before the Board of Commissioners.

Commissioner Strickland moved to approve the minutes of the previous meeting held on October 22, 2007 (Regular Session). Commissioner Craig Leuthold seconded the motion and upon roll call vote Commissioners Strickland, Mark Harmon, Norman, Ivan Harmon, Hammond, Craig Leuthold, Lambert, Smith, Moore, Ballard and Pinkston voted aye. The motion carried 11-0-0-0.

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**IN RE: ELECTIONS AND APPOINTMENTS:**

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

**APPOINTMENT OF SCOTT DAVIS TO THE PUBLIC BUILDING AUTHORITY BOARD – R-07-11-110:**

Consideration of a Resolution of the Commission of Knox County, Tennessee, approving the appointment of Scott Davis to the Public Building Authority Board was before the Board of Commissioners.

Mr. Scott Davis, nominee, Mr. Mike Ragsdale, Knox County Mayor, and Mr. John Owings, Knox County Law Director, were present and spoke on the matter.

Commissioner Pinkston moved to approve Resolution R-07-11-110 - Resolution of the Commission of Knox County, Tennessee, approving the appointment of Scott Davis to the Public Building Authority (PBA) Board. Commissioner Lambert seconded the motion and upon roll call vote Commissioners Strickland, Norman, Ivan Harmon, Hammond, Craig Leuthold, Lambert, Smith, Moore, Ballard and Pinkston voted aye. Commissioner Mark Harmon 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 THE APPOINTMENT OF DR. ROCIO HUET TO THE PUBLIC BUILDING AUTHORITY BOARD – R-07-11-111:**

Consideration of a Resolution of the Commission of Knox County, Tennessee, approving the appointment of Dr. Rocio Huet to the Public Building Authority Board was before the Board of Commissioners.

Commissioner Craig Leuthold moved to approve Resolution R-07-11-111 - Resolution of the Commission of Knox County, Tennessee, approving the appointment of Dr. Rocio Huet to the Public Building Authority (PBA) Board. Commissioner Ballard seconded the motion and upon roll call vote Commissioners Strickland, Mark Harmon, Norman, Ivan Harmon, Hammond, Craig Leuthold, Lambert, Smith, Moore, Ballard and Pinkston voted aye. The motion carried 11-0-0-0.

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**IN RE: DRIVES AND ROADS:**

A. Consideration of closure of Rugby Lane was before the Board of Commissioners on second reading. Property located off Ruggles Ferry Pike. Walter McMillan and George Hoskins, property owner.

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

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B. Consideration of closure of Old Dyestone Gap Road was before the Board of Commissioners on second reading. Property located off Beaver Ridge Road. Husam and Carina Hasan, property owner.

Commissioner Craig Leuthold moved to approve the closure of Old Dyestone Gap Road on second reading. Commissioner Smith seconded the motion and upon roll call vote Commissioners Strickland, Mark Harmon, Norman, Ivan Harmon, Hammond, Craig Leuthold, Lambert, Smith, Moore, Ballard and Pinkston voted aye. The motion carried 11-0-0-0. Property located off Beaver Ridge Road. Husam and Carina Hasan, property owner.

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**IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, APPROVING AN AGREEMENT WITH TENNESSEE CONFERENCE COMMUNITY DEVELOPMENT TO PROVIDE \$78,000.00 FOR THE CONSTRUCTION OF ONE HOME FOR A FIRST TIME HOMEBUYER AND OPERATING FUNDS – R-07-11-501:**

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

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**IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, APPROVING AN AGREEMENT WITH COMMUNITY TELEVISION OF KNOXVILLE, INC. FOR COMMUNITY ACCESS PROGRAMMING – R-07-11-801:**

Consideration of a Resolution of the Commission of Knox County, Tennessee, approving an agreement with Community Television of Knoxville, Inc. for community access programming was before the Board of Commissioners.

Commissioner Craig Leuthold moved to approve Resolution R-07-11-801 - Resolution of the Commission of Knox County, Tennessee, approving an agreement with Community Television of Knoxville, Inc. (CTV) for community access programming. Commissioner Pinkston seconded the motion and upon roll call vote Commissioners Strickland, Norman, Ivan Harmon, Hammond, Craig Leuthold, Lambert, Smith, Moore, Ballard and Pinkston voted aye. Commissioner Mark Harmon abstained from voting. The motion carried 10-0-1-0.

Commissioner Strickland made disclosure that he serves on the Community Television of Knoxville, Inc. Board prior to voting on the matter.

Commissioner Mark Harmon made disclosure that he serves on the Community Television of Knoxville, Inc. Board prior to abstaining on the matter.

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**IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, DETERMINING THE METHOD OF DISPOSAL OF A VACANT SURPLUS LOT LOCATED AT 0 DANDRIDGE AVENUE – R-07-11-803:**

Consideration of a Resolution of the Commission of Knox County, Tennessee, determining the method of disposal of a vacant surplus lot located at 0 Dandridge Avenue was before the Board of Commissioners.

Mr. Hugh Holt, Deputy Director for Knox County Finance, was present and spoke on the matter.

Commissioner Pinkston moved to approve Resolution R-07-11-803 - Resolution of the Commission of Knox County, Tennessee, determining the method of disposal of a vacant surplus lot located at 0 Dandridge Avenue with the following amendment: add the following language to the resolution: “to be by public auction.” Commissioner Craig Leuthold seconded the motion and upon roll call vote Commissioners Strickland, Mark Harmon, Norman, Ivan Harmon, Hammond, Craig Leuthold, Lambert, Smith, Moore, Ballard and Pinkston 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, DETERMINING THE METHOD OF DISPOSAL OF THE OLD GALBRAITH SCHOOL AND PROPERTY LOCATED AT 4333 GALBRAITH SCHOOL ROAD IN SOUTH KNOXVILLE – R-07-11-805:**

Consideration of a Resolution of the Commission of Knox County, Tennessee, determining the method of disposal of the Old Galbraith School and property located at 4333 Galbraith School Road in South Knoxville was before the Board of Commissioners.

Commissioner Pinkston moved to withdraw from the agenda Resolution R-07-11-805 - Resolution of the Commission of Knox County, Tennessee, determining the method of disposal of the Old Galbraith School and property located at 4333 Galbraith School Road in South Knoxville. Commissioner Craig Leuthold seconded the motion and upon roll call vote Commissioners Strickland, Mark Harmon, Norman, Ivan Harmon, Hammond, Craig Leuthold, Lambert, Smith, Moore, Ballard and Pinkston 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 LEASE AGREEMENT BETWEEN KNOX COUNTY SCHOOLS AND MOORELAND HEIGHTS BAPTIST CHURCH – R-07-11-806:**

Consideration of a Resolution of the Commission of Knox County, Tennessee, approving a lease agreement between Knox County Schools and Mooreland Heights Baptist Church was before the Board of Commissioners.

Commissioner Pinkston moved to approve Resolution R-07-11-806 - Resolution of the Commission of Knox County, Tennessee, approving a lease agreement between Knox County Schools and Mooreland Heights Baptist Church. Commissioner Ivan Harmon seconded the motion and upon roll call vote Commissioners Strickland, Mark Harmon, Norman, Ivan Harmon, Hammond, Craig Leuthold, Lambert, Smith, Moore, Ballard and Pinkston 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 \_\_\_\_\_ TO PROVIDE AN ON-SITE WELLNESS CENTER FOR ELIGIBLE KNOX COUNTY EMPLOYEES – R-07-11-902:**

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

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**IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, CALLING UPON STATE SENATOR TIM BURCHETT TO INTRODUCE LEGISLATION IN THE NEXT LEGISLATIVE SESSION TO MANDATE A SPECIAL ELECTION, AND TO SPECIFY THOSE ELECTIONS PROCEDURES, WHEN IN THE FUTURE MULTIPLE, SIMULTANEOUS VACANCIES OCCUR IN THE ELECTIVE OFFICES OF ANY TENNESSEE COUNTY – R-07-11-904:**

Consideration of a Resolution of the Commission of Knox County, Tennessee, calling upon State Senator Tim Burchett to introduce legislation in the next legislative session to mandate a special election, and to specify those elections procedures, when in the future multiple, simultaneous vacancies occur in the elective offices of any Tennessee county was before the Board of Commissioners.



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

Commissioner Mark Harmon moved to approve Resolution R-07-11-904 - Resolution of the Commission of Knox County, Tennessee, calling upon State Senator Tim Burchett to introduce legislation in the next legislative session to mandate a special election, and to specify those elections procedures, when in the future multiple, simultaneous vacancies occur in the elective offices of any Tennessee county. Commissioner Ballard seconded the motion.

Commissioner Pinkston moved as a substitute motion to defer to the December 2007 Board of Commissioners meeting Resolution R-07-11-904 - Resolution of the Commission of Knox County, Tennessee, calling upon State Senator Tim Burchett to introduce legislation in the next legislative session to mandate a special election, and to specify those elections procedures, when in the future multiple, simultaneous vacancies occur in the elective offices of any Tennessee county. Commissioner Lambert seconded the motion and upon roll call vote Commissioners Strickland, Norman, Ivan Harmon, Hammond, Craig Leuthold, Lambert, Smith, Moore, Ballard and Pinkston voted aye. Commissioner Mark Harmon voted no. The substitute motion carried 10-1-0-0.

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**IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, REQUIRING THE KNOX COUNTY COMMISSION TO CHOOSE THE APPOINTEE WHEN A COMMISSIONER IS TO BE APPOINTED TO A BOARD OR COMMITTEE – R-07-11-911:**

Consideration of a Resolution of the Commission of Knox County, Tennessee, requiring the Knox County Commission to choose the appointee when a Commissioner is to be appointed to a board or committee was before the Board of Commissioners.

Commissioner Pinkston moved to approve Resolution R-07-11-911 - Resolution of the Commission of Knox County, Tennessee, requiring the Knox County Commission to choose the appointee when a Commissioner is to be appointed to a board or committee. Commissioner Craig Leuthold seconded the motion and upon roll call vote Commissioners Strickland, Mark Harmon, Norman, Ivan Harmon, Hammond, Craig Leuthold, Lambert, Smith, Moore, Ballard and Pinkston 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, AMENDING THE KNOX COUNTY CODE OF ETHICS TO PROVIDE FOR A NEW SECTION 5 AND RENUMBERING THE CURRENT SECTIONS 5 AND 6 TO SECTIONS 6 AND 7, RESPECTIVELY – R-07-11-912:**

Consideration of a Resolution of the Commission of Knox County, Tennessee, amending the Knox County Code of Ethics to provide for a new Section 5 and renumbering the current Sections 5 and 6 to Sections 6 and 7, respectively was before the Board of Commissioners.

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

Commissioner Hammond moved to approve Resolution R-07-11-912 - Resolution of the Commission of Knox County, Tennessee, amending the Knox County Code of Ethics to provide for a new Section 5 and renumbering the current Sections 5 and 6 to Sections 6 and 7, respectively. Commissioner Mark Harmon seconded the motion and upon roll call vote Commissioners Strickland, Mark Harmon, Norman, Ivan Harmon, Hammond, Craig Leuthold, Lambert, Smith, Moore, Ballard and Pinkston 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, INSTRUCTING THE KNOX COUNTY LAW DIRECTOR TO PREPARE AN AMENDMENT TO THE KNOX COUNTY CHARTER TO BE PRESENTED TO THE KNOX COUNTY COMMISSION AT ITS DECEMBER MEETING WHICH OUTLINES A PROCEDURE FOR A SPECIAL ELECTION OPTION SHOULD THE KNOX COUNTY COMMISSION BE PRESENTED WITH APPOINTING TWO OR MORE ELECTED OFFICIALS – R-07-11-913:**

Consideration of a Resolution of the Commission of Knox County, Tennessee, instructing the Knox County Law Director to prepare an amendment to the Knox County Charter to be presented to the Knox County Commission at its December meeting which outlines a procedure for a special election option should the Knox County Commission be presented with appointing two or more elected officials was before the Board of Commissioners.

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

Commissioner Hammond moved to approve Resolution

R-07-11-913 - Resolution of the Commission of Knox County, Tennessee, instructing the Knox County Law Director to prepare an amendment to the Knox County Charter to be presented to the Knox County Commission at its December meeting which outlines a procedure for a special election option should the Knox County Commission be presented with appointing two or more elected officials. Commissioner Smith seconded the motion and upon roll call vote Commissioners Strickland, Mark Harmon, Norman, Ivan Harmon, Hammond, Craig Leuthold, Lambert, Smith, Moore, Ballard and Pinkston 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, REQUIRING ANY "HYBRID" EMPLOYEE, INDEPENDENT CONTRACTOR OR OTHERS FAILING TO MEET THE 30-HOUR WORK REQUIREMENT AND SEEKING BENEFITS FROM KNOX COUNTY TO RECEIVE APPROVAL FROM THE KNOX COUNTY COMMISSION BEFORE RECEIVING SUCH BENEFITS – R-07-11-915:**

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

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**IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, APPROVING AN AUDIT BY RICHARD WALLS, THE KNOX COUNTY INTERNAL AUDITOR, IN REGARDS TO THE HEALTH BENEFITS PREMIUM PAID/PAYABLE OR PAST DUE FOR THE KNOX COUNTY CONTRACT TAX ATTORNEY FROM EITHER THE CONTRACT TAX ATTORNEY OR THE KNOX COUNTY TRUSTEE'S OFFICE – R-07-11-916:**

This item was deferred to the December 2007 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 THE TENNESSEE STATE LEGISLATURE TO APPLY THE REQUIREMENTS OF THE OPEN MEETINGS ACT TO ITS MEMBERS – R-07-11-917:**

Consideration of a Resolution of the Commission of Knox County, Tennessee, requesting the Tennessee State Legislature to apply the requirements of the Open Meetings Act to its members was before the Board of Commissioners.

Commissioner Mark Harmon moved to approve Resolution R-07-11-917 - Resolution of the Commission of Knox County, Tennessee, requesting the Tennessee State Legislature to apply the requirements of the Open Meetings Act to its members. Commissioner Craig Leuthold seconded the motion and upon roll call vote Commissioners Strickland, Mark Harmon, Norman, Ivan Harmon, Hammond, Craig Leuthold, Lambert, Smith, Moore, Ballard and Pinkston 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 FILL THE VACANCIES IN ACCORDANCE WITH ARTICLE II, SECTION 2 OF THE TENNESSEE CONSTITUTION – R-07-11-918:**

Consideration of a Resolution of the Commission of Knox County, Tennessee, to fill the vacancies in accordance with Article II, Section 2 of the Tennessee Constitution was before the Board of Commissioners.

Mr. John Owings, Knox County Law Director, and Ms. Ruthie Kuhlman, concerned citizen, were present and spoke on the matter.

Commissioner Moore moved to approve Resolution R-07-11-918 - Resolution of the Commission of Knox County, Tennessee, to fill the vacancies in accordance with Article II, Section 2 of the Tennessee Constitution. Commissioner Ballard seconded the motion.

Commissioner Hammond moved as a substitute motion to approve Resolution R-07-11-918 - Resolution of the Commission of Knox County, Tennessee, to fill the vacancies in accordance with Article II, Section 2 of the Tennessee Constitution with the following amendment: Delete Sections 1, 2, 3, 4, 5, 6 and 7 and replace with the following sections to read as follows: Section 1. The Knox County Commission shall fill the vacancies in the following offices: County Commission Seats District 1 Seat A, District 2 Seat B, District 4 Seat A, District 4 Seat B, District 5 Seat C, District 6 Seat A, District 8 Seat B, and District 9 Seat A, and Sheriff, County Clerk, Register of Deeds and Trustee, and at a Special Called Meeting at 9:00 a.m. on February 20, 2008; Section 2. Prior to the Special Called Meeting, the Knox County Commission shall convene for nine (9) Work Sessions. The dates, times and process are to be determined; Section 3. The Knox County Commission shall convene at 9:00 a.m. on February 20, 2008 at a Special Called Meeting to fill the vacancies. The process for the meeting is to be determined; and Section 4. Within the time period prescribed by law, the Chief Deputy County Clerk shall give the ten (10) day notice of Special Called Meeting to every member of the Knox County

Commission as required under Tenn. Code Ann. 5-5-113, specifying the offices or vacancies to be filled; and the Chair of the Knox County Commission shall cause public notice to appear in the *Knoxville News Sentinel* at least one (1) week before the Special Called Meeting to appoint, specifying the offices to be filled at that meeting. Tenn. Code Ann. 5-5-114. Commissioner Mark Harmon seconded the motion and upon roll call vote Commissioners Mark Harmon, Norman, Hammond, Craig Leuthold, Smith and Ballard voted aye. Commissioners Strickland, Ivan Harmon, Lambert, Moore and Pinkston voted no. The substitute motion carried 6-5-0-0.

Commissioner Craig Leuthold made the following statement prior to voting on the matter: “Because I am an employee of the Knox County Trustee’s Office, I have a conflict of interest in the proposal about to be voted. However, I declare that my argument and my vote answer only to my conscious and to my obligations to the my constituents, and to the citizens this body represents.”

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

17. Commissioner Moore amended the agenda to hear the following item at this time: Ordinance O-07-11-104 - Consideration of an Ordinance of the Commission of Knox County, Tennessee, amending Ordinance O-04-5-101(A) by substituting the term “six dollars (\$6)” for the term “thirty-six dollars (\$36)” wherever it appears in the Ordinance (Ordinance O-04-5-101(A) as amended, effective July 13, 2004).

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**IN RE: ORDINANCES ON FIRST READING:**

**IN RE: CONSIDERATION OF AN ORDINANCE OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, AMENDING ORDINANCE O-04-5-101(A) BY SUBSTITUTING THE TERM “SIX DOLLARS (\$6)” FOR THE TERM “THIRTY-SIX DOLLARS (\$36)” WHEREVER IT APPEARS IN THE ORDINANCE (ORDINANCE O-04-5-101(A) AS AMENDED, EFFECTIVE JULY 13, 2004) – O-07-11-104 – (FIRST READING):**

Consideration of an Ordinance of the Commission of Knox County, Tennessee, amending Ordinance O-04-5-101(A) by substituting the term “six dollars (\$6)” for the term “thirty-six dollars (\$36)” wherever it appears in the Ordinance (Ordinance O-04-5-101(A) as amended, effective July 13, 2004) was before the Board of Commissioners on first reading.

Mr. John Owings, Knox County Law Director, Mr. George Stooksbury, Chief Deputy in the Knox County Clerk’s Office, Mr. Mike

Ragsdale, Knox County Mayor, and Mr. Jim McEvers, and Ms. Donna McEvers, concerned citizens, were present and spoke on the matter.

Commissioner Moore moved to approve Ordinance O-07-11-104 - Ordinance of the Commission of Knox County, Tennessee, amending Ordinance O-04-5-101(A) by substituting the term “six dollars (\$6)” for the term “thirty-six dollars (\$36)” wherever it appears in the Ordinance (Ordinance O-04-5-101(A) as amended, effective July 13, 2004) on first reading. Commissioner Lambert seconded the motion and upon roll call vote Commissioners Lambert and Moore voted aye. Commissioners Strickland, Mark Harmon, Norman, Ivan Harmon, Hammond, Craig Leuthold, Smith, Ballard and Pinkston voted no. The motion failed 2-9-0-0.

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**IN RE: CONSIDERATION OF AN ORDINANCE OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, RESCINDING THE APPROVAL OF ORDINANCE O-07-8-101 AND APPROVING THE STORMWATER ORDINANCE AS AMENDED – O-07-11-101 – (FIRST READING):**

Consideration of an Ordinance of the Commission of Knox County, Tennessee, rescinding the approval of Ordinance O-07-8-101 and approving the Stormwater Ordinance as amended was before the Board of Commissioners on first reading.

Commissioner Lambert moved to withdraw from the agenda Ordinance O-07-11-101 - Ordinance of the Commission of Knox County, Tennessee, rescinding the approval of Ordinance O-07-8-101 and approving the Stormwater Ordinance as amended on first reading. Commissioner Craig Leuthold seconded the motion and upon roll call vote Commissioners Strickland, Mark Harmon, Norman, Ivan Harmon, Hammond, Craig Leuthold, Lambert, Smith, Moore, Ballard and Pinkston 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 THE KNOX COUNTY CODE ARTICLE X PERSONNEL PLAN BY ADOPTING DIVISION 9 HEALTH INSURANCE APPEAL BOARD (ORDINANCE O-02-7-101, § I-VIII, ADOPTED AUGUST 26, 2002 – O-07-11-102 – (FIRST READING):**

Consideration of an Ordinance of the Commission of Knox County, Tennessee, amending the Knox County Code Article X Personnel Plan by adopting Division 9 Health Insurance Appeal Board (Ordinance

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

Commissioner Pinkston moved to approve Ordinance O-07-11-102 - Ordinance of the Commission of Knox County, Tennessee, amending the Knox County Code Article X Personnel Plan by adopting Division 9 Health Insurance Appeal Board (Ordinance O-02-7-101, § I-VIII, adopted August 26, 2002 on first reading. Commissioner Lambert seconded the motion and upon roll call vote Commissioners Strickland, Mark Harmon, Norman, Ivan Harmon, Hammond, Craig Leuthold, Lambert, Smith, Moore, Ballard and Pinkston 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 VII OF THE KNOX COUNTY CHARTER TO ESTABLISH, AS SECTION 7.05, A PROVISION TO RECALL AN ELECTED OFFICIAL FROM OFFICE (KNOX COUNTY CHARTER AS ADOPTED NOVEMBER 8, 1988, AS AMENDED THROUGH REFERENDUMS OF AUGUST 1, 1996 AND NOVEMBER 7, 2006 – O-07-11-103 – (FIRST READING):**

Consideration of an Ordinance of the Commission of Knox County, Tennessee, amending Article VII of the Knox County Charter to establish, as Section 7.05, a provision to recall an elected official from office (Knox County Charter as adopted November 8, 1988, as amended through Referendums of August 1, 1996 and November 7, 2006 was before the Board of Commissioners on first reading.

Mr. Brian Paone, concerned citizen, Mr. John Owings, Knox County Law Director, Ms. MaryAnn Stackhouse, Knox County Chief Deputy Law Director, and Mr. Mark Segal, concerned citizen, were present and spoke on the matter.

Commissioner Lambert moved to approve Ordinance O-07-11-103 - Ordinance of the Commission of Knox County, Tennessee, amending Article VII of the Knox County Charter to establish, as Section 7.05, a provision to recall an elected official from office (Knox County Charter as adopted November 8, 1988, as amended through Referendums of August 1, 1996 and November 7, 2006 on first reading with the following sections to be amended to read as follows: Section D – Notwithstanding subsection (B), the signed recall petition shall be filed with the Knox County Election Commission within ninety (90) days after final certification of the proper form of the petition by the Election Commission; Section G - In the event the incumbent is recalled, subject to provision (H) and pending the

election provided for in Section H, the County Commission may fill the vacancy temporarily; provided, however, that said temporary appointee shall serve only until the election results are certified and the newly elected official is qualified; Section I – Notwithstanding paragraph (G), if the recall election is certified by the Knox County Election Commission within forty-five (45) days of the deadline for submitting a qualifying petition for the primary election for that office under Article VII of the Knox County Charter, then, such office will remain vacant for the balance of the term and will be filled through the ordinary primary and general election process for that office set out in the Charter and general state law; and add the following language to the end of Section C: “No such petition shall be circulated until after the official has served one (1) year in office, nor if the official has less than one (1) year left on their term in office.” Commissioner Mark Harmon seconded the motion and upon roll call vote Commissioners Strickland, Mark Harmon, Norman, Ivan Harmon, Hammond, Craig Leuthold, Lambert, Smith, Moore, Ballard and Pinkston 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 ORDINANCE O-04-5-101(A) BY SUBSTITUTING THE TERM “SIX DOLLARS (\$6)” FOR THE TERM “THIRTY-SIX DOLLARS (\$36)” WHEREVER IT APPEARS IN THE ORDINANCE (ORDINANCE O-04-5-101(A) AS AMENDED, EFFECTIVE JULY 13, 2004) – O-07-11-104 – (FIRST READING):**

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

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**IN RE: ORDINANCE ON SECOND READING:**

**IN RE: CONSIDERATION OF AN ORDINANCE OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, REPEALING KNOX COUNTY CODE § 62-333(C) (“WHENEVER A USABLE PATH FOR BICYCLES HAS BEEN PROVIDED ADJACENT TO A ROADWAY, BICYCLE RIDERS SHALL USE SUCH PATH AND SHALL NOT USE THE ROADWAY”) – O-07-10-101 – (SECOND READING):**

Consideration of an Ordinance of the Commission of Knox County, Tennessee, repealing Knox County Code § 62-333(c) (“Whenever a usable path for bicycles has been provided adjacent to a roadway, bicycle



riders shall use such path and shall not use the roadway”) was before the Board of Commissioners on second reading.

Commissioner Craig Leuthold moved to approve Ordinance O-07-10-101 - Ordinance of the Commission of Knox County, Tennessee, repealing Knox County Code § 62-333(c) (“Whenever a usable path for bicycles has been provided adjacent to a roadway, bicycle riders shall use such path and shall not use the roadway”) on second reading. Commissioner Lambert seconded the motion and upon roll call vote Commissioners Strickland, Mark Harmon, Norman, Ivan Harmon, Hammond, Craig Leuthold, Lambert, Smith, Moore, Ballard and Pinkston voted aye. The motion carried 11-0-0-0.

The caption was revised to read as follows: Ordinance of the Commission of Knox County, Tennessee, repealing Section 62-333(c) of the Knox County Code to not require bicyclists to use paths adjacent to roadways (Ordinance O-90-9-112, § 11-3, adopted on September 10, 1990).

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**IN RE: ELECTIONS AND APPOINTMENTS:**

**IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, APPROVING THE APPOINTMENT OF THOMAS DEAKINS TO THE ETHICS COMMITTEE – R-07-11-112:**

Consideration of a Resolution of the Commission of Knox County, Tennessee, approving the appointment of Thomas Deakins to the Ethics Committee was before the Board of Commissioners.

Ms. Kim Waller, Ethics Committee member, was present and spoke on the matter.

Commissioner Mark Harmon moved to approve Resolution R-07-11-112 - Resolution of the Commission of Knox County, Tennessee, approving the appointment of Thomas Deakins to the Ethics Committee. The motion was seconded.

Commissioner Hammond moved as a substitute motion to defer to the December 2007 Board of Commissioners meeting Resolution R-07-11-112 - Resolution of the Commission of Knox County, Tennessee, approving the appointment of Thomas Deakins to the Ethics Committee. Commissioner Craig Leuthold seconded the motion and upon roll call vote Commissioners Strickland, Mark Harmon, Norman, Ivan Harmon, Hammond, Craig Leuthold, Lambert, Smith, Moore, Ballard and Pinkston voted aye. The substitute motion carried 11-0-0-0.

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**IN RE: RESOLUTIONS**

**IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, APPROVING COVENANTS FOR PERMANENT MAINTENANCE OF STORMWATER FACILITIES BY CBJ, LLC & FULTON PROPERTIES, LLC FOR PROPERTY LOCATED AT 0 SAYLORS FORD ROAD – R-07-11-404:**

Consideration of a Resolution of the Commission of Knox County, Tennessee, approving covenants for permanent maintenance of stormwater facilities by CBJ, LLC & Fulton Properties, LLC for property located at 0 Saylor's Ford Road was before the Board of Commissioners.

Commissioner Craig Leuthold moved to approve Resolution R-07-11-404 - Resolution of the Commission of Knox County, Tennessee, approving covenants for permanent maintenance of stormwater facilities by CBJ, LLC & Fulton Properties, LLC for property located at 0 Saylor's Ford Road. Commissioner Mark Harmon seconded the motion and upon roll call vote Commissioners Strickland, Mark Harmon, Norman, Ivan Harmon, Hammond, Craig Leuthold, Lambert, Smith, Moore, Ballard and Pinkston voted aye. The motion carried 11-0-0-0.

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**IN RE: PUBLIC FORUM:**

1. Ms. Shannon Szito, concerned citizen, was present and spoke concerning Resolution R-07-11-917.
  2. Mr. Brian Moneyhun, concerned citizen, was present and spoke concerning Ordinance O-07-11-103.
  3. Ms. Lucille Carrol, concerned citizen, was present and spoke concerning dangerous dogs on Atkins Road.
- Mr. John Owings, Knox County Law Director, was present and spoke on the matter.

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**IN RE: DISCUSSION OF THE PROCUREMENT CARD MANUAL:**

Discussion of the Procurement Card Manual was before the Procurement Procedures Committee.

Mr. Hugh Holt, Deputy Director for Knox County Finance, and Mr. Jim McEvers, concerned citizen, were present and spoke on the matter. No action was taken.

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**IN RE:      ROLL CALL BY DISTRICTS:**

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

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**IN RE:      ADJOURNMENT:**

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

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***KNOX COUNTY BOARD OF COMMISSIONERS***

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***SCOTT MOORE, CHAIRMAN***