

KNOX COUNTY BOARD OF COMMISSIONERS

The Knox County Board of Commissioners met in Regular Session on Monday, October 22, 2007 at 2:00 p.m. in the Main Assembly Room of the City-County Building, Main Avenue. Those members present were Commissioners Strickland, Mark Harmon, Norman, Ivan Harmon, Hammond, Leuthold, Lambert, Smith, Moore, Ballard and Pinkston. Also present were Mr. John Owings, Knox County Law Director, Mr. Mike Ragsdale, Knox County Mayor, Mr. John Troyer, Director, Knox County Finance, Mr. Dwight Van de Vate, Director, Governmental Affairs, Ms. Cynthia Finch, Director, Community Services, Mr. Bruce Wuethrich, Director, Engineering and Public Works, Mr. Richard Walls, Knox County Internal Auditor and news media.

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

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IN RE: ROLL CALL:

Ms. Martha Beeler, Administrative Assistance to Chief Deputy George Stooksbury, "under the Authority 18-6-115", called the roll.

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IN RE: DEVOTIONAL:

Commissioner Tony Norman gave the devotional.

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IN RE: PLEDGE OF ALLEGIANCE TO THE FLAG:

Commissioner Craig Leuthold led the Pledge of Allegiance to the Flag.

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IN RE: AMENDMENTS TO THE AGENDA:

Without objection, Commissioner Moore amended the agenda as follows:

Add to the agenda as Spread of Record The Courts Memorandum and Order and Judgment of the Court dated October 5, 2007 to be included in the minutes.

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Remove from the education calendar and add to the regular agenda R-07-10-202 – Resolution approving a contract agreement with Trane in the amount of \$10,253,839.00 for the purpose of furnishing services designed to reduce energy consumption and operation costs, to guarantee a specified minimum level of energy savings, and furnish specified maintenance.

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Remove from the consent agenda and add to the regular agenda
R-07-10-104 – Resolution honoring the Christian Academy of Knoxville
Boys’ Soccer Team for winning the Class A/AA State Soccer
Championship.

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Defer to the November Board of Commissioners meeting
R-07-10-109 – Resolution honoring the Farragut Boys Soccer Team.

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Add R-07-10-203- Resolution to approve spending \$251,000.00 out of
countywide improvement for the build out of the Burlington Library space to
be leased to the University of Tennessee for classroom space.

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Remove from the consent agenda and add to the regular agenda
R-07-10-105 – Resolution honoring Ted Hatfield and move to top of the
agenda.

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Remove from the consent agenda and add to the regular agenda
R-07-10-108 – Resolution honoring Chris Vandergriff and move to top of
the agenda.

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Remove from the consent agenda and add to the regular agenda
R-07-10-911 – Resolution approving a contract with Business Information
Systems, Inc. (BIS) for County Clerk software services.

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Withdraw from the agenda R-07-10-905 – Resolution approving the
construction of a pavilion at the South Knox Senior Center from the
remaining funds up to 10,000.00.

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Add as an item for discussion the appointment process.

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Add reconsideration of the Stormwater Ordinance to the agenda.

Mr. John Owings, Knox County Law Director, was present and spoke
on the matter and stated bring the Ordinance back in November for first
reading and December for second reading.

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Defer to the November Board of Commissioners meeting
R-07-10-912 – Resolution approving a contract with _____ to provide an
on-site Wellness Center for eligible Knox County employees.

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Withdraw from the agenda R-07-10-101 – Resolution honoring Jamie Pavlis.

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Withdraw from the agenda R-07-10-102 – Resolution honoring Charlie Sanders.

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Add to the regular agenda R-07-10-914 – Resolution of the Commission of Knox County, Tennessee approving amendments to a contract with the City of Knoxville to provide certain grant funds for the Beck Cultural Center for the project known as the Knoxville Cultural Heritage Tourism District.

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Add to the regular agenda R-07-10-111 – Resolution of the Commission of Knox County, Tennessee approving the appointment of Brooks Clark on the Knox County Public Library Board of Trustees.

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Add to the regular agenda R-07-10-112 – Resolution of the Commission of Knox County, Tennessee approving the reappointment of Ruthie McLeod to the Knox County Public Library Board of Trustees.

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Add to the regular agenda R-07-10-804 - Consideration of a Resolution of the Commission of Knox County, Tennessee approving a contract with Fringe Benefit Management Company for Flexible Benefits Administration Services.

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Withdraw from the agenda R-07-10-901 – Consideration of a Resolution of the Commission of Knox County, Tennessee approving a grant contract in the amount of \$140,000.00 between the PEW Charitable Trusts and the Knox County Election Commission to study “Convenience Voting”.

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Add O-07-10-101 - Consideration of an 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 (Ord. No. O-90-9-112, §11-3,9-10-90)

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Withdraw from the agenda under Drives and Roads: Consideration of closure of Rugby Lane. Property located off Ruggles Ferry Pike. Property owner: Walter McMillan and George Hoskins. (First Reading)

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IN RE: CONSENT ITEMS:

Tax Refunds: No refunds received.
Notary Public Applications: 221 received.

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Reports of Officials: (Quarterly)

- A. County Mayor
- B. County Law Director
- C. Superintendent of Schools
- D. Trustee
- E. Medical Examiner
- F. Sheriff
- G. Public Libraries
- H. Old Records

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Reports of County Agencies: (Quarterly)

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

Commissioner Ballard moved to approve the above consent items.

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

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IN RE: EDUCATION CONSENT CALENDAR:
CONSIDERATION OF A RESOLUTION OF THE COMMISSION
OF KNOX COUNTY, TENNESSEE APPROVING A CONTRACT
AGREEMENT WITH PARLANT TECHNOLOGY, INC. FOR A
PARENT NOTIFICATION SYSTEM: R-07-10-201:

Consideration of a Resolution of the Commission of Knox County,
Tennessee approving a contract agreement with Parlant Technology, Inc. for
a parent Notification System was before the Board of Commissioners.

Commissioner Mark Harmon moved to approve R-07-10-201 –

Consideration of a Resolution of the Commission of Knox County, Tennessee approving a contract agreement with Parlant Technology, Inc. for a parent Notification System. Commissioner Ballard seconded the motion and upon roll call vote Commissioners Strickland, Mark Harmon, Norman, Ivan Harmon, Hammond, 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 HONORING THE CHRISTIAN ACADEMY OF KNOXVILLE BOYS' SOCCER TEAM FOR WINNING THE CLASS A/AA STATE SOCCER: R-07-10-104:

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

Mr. Tom Gerlach, Coach, Christian Academy, was present and thanked the Commission for the Resolution.

Commissioner Pinkston moved to approve R-07-10-104 - Consideration of a Resolution of the Commission of Knox County, Tennessee honoring the Christian Academy of Knoxville Boys' Soccer Team for winning the Class A/AA State Soccer. Commissioner Leuthold seconded the motion and upon roll call vote Commissioners Strickland, Mark Harmon, Norman, Ivan Harmon, Hammond, 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 HONORING CHRIS VANDERGRIFF: R-07-10-108:

Consideration of a Resolution of the Commission of Knox County, Tennessee honoring Chris Vandergriff was before the Board of Commissioners.

Mr. Chris Vandergriff, was present and thanked the Commission for the Resolution.

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

Commissioner Pinkston moved to approve R-07-10-108 - Consideration of a Resolution of the Commission of Knox County, Tennessee honoring Chris Vandergriff. Commissioner Leuthold seconded the motion and upon roll call vote Commissioners Strickland, Mark Harmon,

Norman, Ivan Harmon, Hammond, 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 MEMORIALIZING JUDGE RAY LEE JENKINS: R-07-10-103:

Consideration of a Resolution of the Commission of Knox County, Tennessee memorializing Judge Ray Lee Jenkins was before the Board of Commissioners.

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

Judge Jenkins son was present and thanked the Commission for the Resolution.

Commissioner Pinkston moved to approve R-07-10-103 - Consideration of a Resolution of the Commission of Knox County, Tennessee memorializing Judge Ray Lee Jenkins. Commissioner Leuthold seconded the motion and upon roll call vote Commissioners Strickland, Mark Harmon, Norman, Ivan Harmon, Hammond, 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 MEMORIALIZING BERT WEAVER: R-07-10-106:

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

Commissioner Leuthold moved to approve R-07-10-106 - Consideration of a Resolution of the Commission of Knox County, Tennessee memorializing Bert Weaver. Commissioner Smith seconded the motion and upon roll call vote Commissioners Strickland, Mark Harmon, Norman, Ivan Harmon, Hammond, 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 HONORING BUCK COATNEY: R-07-10-107:

Consideration of a Resolution of the Commission of Knox County, Tennessee honoring Buck Coatney was before the Board of Commissioners.

Commissioner Leuthold moved to approve R-07-10-107 - Consideration of a Resolution of the Commission of Knox County, Tennessee honoring Buck Coatney. Commissioner Smith seconded the motion and upon roll call vote Commissioners Strickland, Mark Harmon, Norman, Ivan Harmon, Hammond, 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 \$154,471.90 WITH THE TENNESSEE DEPARTMENT OF TRANSPORTATION (TDOT) FOR THE PROVISION OF IMPLEMENTING A HIGHWAY TRAFFIC SAFETY GRANT: R-07-10-301:

Consideration of a Resolution of the Commission of Knox County, Tennessee approving a grant agreement in the amount of \$154,471.90 with the Tennessee Department of Transportation (TDOT) for the provision of implementing a Highway Traffic Safety Grant was before the Board of Commissioners.

Commissioner Leuthold moved to approve R-07-10-301 - Consideration of a Resolution of the Commission of Knox County, Tennessee approving a grant agreement in the amount of \$154,471.90 with the Tennessee Department of Transportation (TDOT) for the provision of implementing a Highway Traffic Safety Grant. Commissioner Smith seconded the motion and upon roll call vote Commissioners Strickland, Mark Harmon, Norman, Ivan Harmon, Hammond, 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 THE ECHO VALLEY HOMEOWNERS' ASSOCIATION FOR THE UTILIZATION OF PROPERTY LOCATED AT 424 AND 426 ECHO VALLEY DRIVE FOR THE PLACEMENT OF A SIGN, LANDSCAPING AND PROPERTY MAINTENANCE: R-07-10-401:

Consideration of a Resolution of the Commission of Knox County, Tennessee approving a contract with the Echo Valley Homeowners' Association for the utilization of property located at 424 and 426 Echo

Valley Drive for the placement of a sign, landscaping and property maintenance was before the Board of Commissioners.

Commissioner Leuthold moved to approve R-07-10-401 - Consideration of a Resolution of the Commission of Knox County, Tennessee approving a contract with the Echo Valley Homeowners' Association for the utilization of property located at 424 and 426 Echo Valley Drive for the placement of a sign, landscaping and property maintenance. Commissioner Smith seconded the motion and upon roll call vote Commissioners Strickland, Mark Harmon, Norman, Ivan Harmon, Hammond, 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 EAGLE BEND CONSTRUCTION, LLC FOR PROPERTY LOCATED AT BOB KIRBY ROAD: R-07-10-402:

Consideration of a Resolution of the Commission of Knox County, Tennessee approving covenants for permanent maintenance of stormwater facilities by Eagle Bend Construction, LLC for property located at Bob Kirby Road was before the Board of Commissioners.

Commissioner Leuthold moved to approve R-07-10-402 - Consideration of a Resolution of the Commission of Knox County, Tennessee approving covenants for permanent maintenance of stormwater facilities by Eagle Bend Construction, LLC for property located at Bob Kirby Road. Commissioner Smith seconded the motion and upon roll call vote Commissioners Strickland, Mark Harmon, Norman, Ivan Harmon, Hammond, 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 AN ESTIMATED COSTS OF \$70,000.00 WITH THE TENNESSEE DEPARTMENT OF TRANSPORTATION (TDOT) FOR THE REPLACEMENT OF THE CONNER ROAD BRIDGE OVER BULL RUN CREEK: R-07-10-403:

Consideration of a Resolution of the Commission of Knox County, Tennessee approving a contract with an estimated costs of \$70,000.00 with the Tennessee Department of Transportation (TDOT) for the replacement of

the Conner Road bridge over Bull Run Creek was before the Board of Commissioners.

Commissioner Leuthold moved to approve R-07-10-403 - Consideration of a Resolution of the Commission of Knox County, Tennessee approving a contract with an estimated costs of \$70,000.00 with the Tennessee Department of Transportation (TDOT) for the replacement of the Conner Road bridge over Bull Run Creek. Commissioner Smith seconded the motion and upon roll call vote Commissioners Strickland, Mark Harmon, Norman, Ivan Harmon, Hammond, 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 SOUTHLAND GROUP, INC. FOR PROPERTY LOCATED AT SHANNON VALLEY FARMS: R-07-10-404:

Consideration of a Resolution of the Commission of Knox County, Tennessee approving covenants for permanent maintenance of stormwater facilities by Southland Group, Inc. for property located at Shannon Valley Farms was before the Board of Commissioners.

Commissioner Leuthold moved to approve R-07-10-404 - Consideration of a Resolution of the Commission of Knox County, Tennessee approving covenants for permanent maintenance of stormwater facilities by Southland Group, Inc. for property located at Shannon Valley Farms. Commissioner Smith seconded the motion and upon roll call vote Commissioners Strickland, Mark Harmon, Norman, Ivan Harmon, Hammond, 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 LIEU OF A PERFORMANCE BOND WITH THE TENNESSEE DEPARTMENT OF ENVIRONMENT AND CONSERVATION FOR THE CLOSING OF THE GREENWASTE RECYCLING FACILITY AT SOLWAY: R-07-10-405:

Consideration of a Resolution of the Commission of Knox County, Tennessee approving a contract in lieu of a performance bond with the Tennessee Department of Environment and Conservation for the closing of

the Greenwaste Recycling Facility at Solway was before the Board of Commissioners.

Commissioner Leuthold moved to approve R-07-10-405 - Consideration of a Resolution of the Commission of Knox County, Tennessee approving a contract in lieu of a performance bond with the Tennessee Department of Environment and Conservation for the closing of the Greenwaste Recycling Facility at Solway. Commissioner Smith seconded the motion and upon roll call vote Commissioners Strickland, Mark Harmon, Norman, Ivan Harmon, Hammond, 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 LISA ROSS BIRTH AND WOMEN'S CENTER TO PROVIDE \$150,000.00 FOR THE ACQUISITION OF A FACILITY LOCATED AT 1925-B AILOR AVENUE: R-07-10-501:

Consideration of a Resolution of the Commission of Knox County, Tennessee approving an agreement with Lisa Ross Birth and Women's Center to provide \$150,000.00 for the acquisition of a facility located at 1925-B Ailor Avenue was before the Board of Commissioners.

Commissioner Leuthold moved to approve R-07-10-501 - Consideration of a Resolution of the Commission of Knox County, Tennessee approving an agreement with Lisa Ross Birth and Women's Center to provide \$150,000.00 for the acquisition of a facility located at 1925-B Ailor Avenue. Commissioner Smith seconded the motion and upon roll call vote Commissioners Strickland, Mark Harmon, Norman, Ivan Harmon, Hammond, 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 MEMORANDUM OF UNDERSTANDING IN THE AMOUNT OF \$324,804.00 BETWEEN THE KNOX COUNTY HEALTH DEPARTMENT AND THE KNOX COUNTY SCHOOL SYSTEM FOR THE PROVISION OF SCHOOL-BASED NURSING SERVICES RELATED TO THE IN SCHOOL HEALTH PROGRAM: R-07-10-601:

Consideration of a Resolution of the Commission of Knox County, Tennessee approving a Memorandum of Understanding in the amount of

\$324,804.00 between the Knox County Health Department and the Knox County School System for the provision of school-based nursing services related to the in School Health Program was before the Board of Commissioners.

Commissioner Leuthold moved to approve R-07-10-601 - Consideration of a Resolution of the Commission of Knox County, Tennessee approving a Memorandum of Understanding in the amount of \$324,804.00 between the Knox County Health Department and the Knox County School System for the provision of school-based nursing services related to the in School Health Program. Commissioner Smith seconded the motion and upon roll call vote Commissioners Strickland, Mark Harmon, Norman, Ivan Harmon, Hammond, 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 FAMILY PLANNING SERVICES: R-07-10-602:

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 Family Planning Services was before the Board of Commissioners.

Commissioner Leuthold moved to approve R-07-10-602 - 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 Family Planning Services. Commissioner Smith seconded the motion and upon roll call vote Commissioners Strickland, Mark Harmon, Norman, Ivan Harmon, Hammond, 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 MEMORANDUM OF UNDERSTANDING IN THE AMOUNT OF \$108,376.88 BETWEEN THE KNOX COUNTY HEALTH DEPARTMENT AND KNOX COUNTY SCHOOL SYSTEM FOR THE PROVISION OF SCHOOL-BASED NUTRITION SERVICES AND NUTRITION EDUCATION FOR TEACHERS: R-07-10-603:

Consideration of a Resolution of the Commission of Knox County, Tennessee approving a Memorandum of Understanding in the amount of \$108,376.88 between the Knox County Health Department and Knox County School System for the provision of school-based nutrition services and nutrition education for teachers was before the Board of Commissioners.

Commissioner Leuthold moved to approve R-07-10-603 - Consideration of a Resolution of the Commission of Knox County, Tennessee approving a Memorandum of Understanding in the amount of \$108,376.88 between the Knox County Health Department and Knox County School System for the provision of school-based nutrition services and nutrition education for teachers. Commissioner Smith seconded the motion and upon roll call vote Commissioners Strickland, Mark Harmon, Norman, Ivan Harmon, Hammond, 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 (CONTRACT NUMBER: 08-03-PY7-203-ADULT) IN THE AMOUNT OF \$137,310.00 WITH THE TENNESSEE DEPARTMENT OF LABOR AND WORKFORCE DEVELOPMENT FOR ESTABLISHING PROGRAMS TO PREPARE ADULTS FOR RE-ENTRY INTO THE LABOR FORCE AND TO OFFER TRAINING TO THOSE FACING SERIOUS BARRIERS TO PRODUCTIVE EMPLOYMENT: R-07-10-902:

Consideration of a Resolution of the Commission of Knox County, Tennessee approving a grant agreement (contract number: 08-03-PY7-203-ADULT) in the amount of \$137,310.00 with the Tennessee Department of Labor and Workforce Development for establishing programs to prepare adults for re-entry into the labor force and to offer training to those facing serious barriers to productive employment was before the Board of Commissioners.

Commissioner Leuthold moved to approve R-07-10-902 - Consideration of a Resolution of the Commission of Knox County, Tennessee approving a grant agreement (contract number: 08-03-PY7-203-ADULT) in the amount of \$137,310.00 with the Tennessee Department of Labor and Workforce Development for establishing programs to prepare adults for re-entry into the labor force and to offer training to those facing serious barriers to productive employment. Commissioner Smith seconded the motion and upon roll call vote Commissioners Strickland, Mark Harmon, Norman, Ivan Harmon, Hammond, 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 (CONTRACT NUMBER: 08-03-PY7-403-DSLWK) IN THE AMOUNT OF \$231,046.00 WITH THE TENNESSEE DEPARTMENT OF LABOR AND WORKFORCE DEVELOPMENT FOR ESTABLISHING PROGRAMS TO PREPARE DISLOCATED WORKERS FOR RE-ENTRY INTO THE LABOR FORCE AND TO OFFER TRAINING TO THOSE FACING SERIOUS BARRIERS TO PRODUCTIVE EMPLOYMENT: R-07-10-903:

Consideration of a Resolution of the Commission of Knox County, Tennessee approving a grant agreement (contract number: 08-03-PY7-403-DSLWK) in the amount of \$231,046.00 with the Tennessee Department of Labor and Workforce Development for establishing programs to prepare dislocated workers for re-entry into the labor force and to offer training to those facing serious barriers to productive employment was before the Board of Commissioners.

Commissioner Leuthold moved to approve R-07-10-903 - Consideration of a Resolution of the Commission of Knox County, Tennessee approving a grant agreement (contract number: 08-03-PY7-403-DSLWK) in the amount of \$231,046.00 with the Tennessee Department of Labor and Workforce Development for establishing programs to prepare dislocated workers for re-entry into the labor force and to offer training to those facing serious barriers to productive employment. Commissioner Smith seconded the motion and upon roll call vote Commissioners Strickland, Mark Harmon, Norman, Ivan Harmon, Hammond, 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 MODIFICATION #1 TO A GRANT AGREEMENT (CONTRACT NUMBER: 08-03-PY7-103-ADMIN) WITH THE TENNESSEE DEPARTMENT OF LABOR AND WORKFORCE DEVELOPMENT FOR ESTABLISHING PROGRAMS TO PREPARE ADULTS, DISLOCATED WORKERS AND YOUTH FOR RE-ENTRY INTO THE LABOR FORCE AND TO OFFER TRAINING TO THOSE FACING SERIOUS BARRIERS TO PRODUCTIVE EMPLOYMENT:

R-07-10-904:

Consideration of a Resolution of the Commission of Knox County, Tennessee approving modification #1 to a grant agreement (contract number: 08-03-PY7-103-ADMIN) with the Tennessee Department of Labor and Workforce Development for establishing programs to prepare adults, dislocated workers and youth for re-entry into the labor force and to offer training to those facing serious barriers to productive employment was before the Board of Commissioners.

Commissioner Leuthold moved to approve R-07-10-904 - Consideration of a Resolution of the Commission of Knox County, Tennessee approving modification #1 to a grant agreement (contract number: 08-03-PY7-103-ADMIN) with the Tennessee Department of Labor and Workforce Development for establishing programs to prepare adults, dislocated workers and youth for re-entry into the labor force and to offer training to those facing serious barriers to productive employment. Commissioner Smith seconded the motion and upon roll call vote Commissioners Strickland, Mark Harmon, Norman, Ivan Harmon, Hammond, 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 THE DONATION OF A SURPLUS 2000 DODGE PICKUP TRUCK, TAB #2726 TO THE ONE LUV EQUESTRIAN CLUB: R-07-10-906:

Consideration of a Resolution of the Commission of Knox County, Tennessee approving the donation of a surplus 2000 Dodge Pickup Truck, tab #2726 to the One Luv Equestrian Club was before the Board of Commissioners.

Commissioner Leuthold moved to approve R-07-10-906 - Consideration of a Resolution of the Commission of Knox County, Tennessee approving the donation of a surplus 2000 Dodge Pickup Truck, tab #2726 to the One Luv Equestrian Club. Commissioner Smith seconded the motion and upon roll call vote Commissioners Strickland, Mark Harmon, Norman, Ivan Harmon, Hammond, 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 MODIFICATION #1 TO A GRANT AGREEMENT (CONTRACT NUMBER: 08-03-PY7-303-YOUTH) WITH THE TENNESSEE

**DEPARTMENT OF LABOR AND WORKFORCE DEVELOPMENT
FOR ESTABLISHING PROGRAMS TO PREPARE YOUTH FOR RE-
ENTRY INTO THE LABOR FORCE AND TO OFFER TRAINING TO
THOSE FACING SERIOUS BARRIERS TO PRODUCTIVE
EMPLOYMENT: R-07-10-913:**

Consideration of a Resolution of the Commission of Knox County, Tennessee approving modification #1 to a grant agreement (contract number: 08-03-PY7-303-YOUTH) with the Tennessee Department of Labor and Workforce Development for establishing programs to prepare youth for re-entry into the labor force and to offer training to those facing serious barriers to productive employment was before the Board of Commissioners.

Commissioner Leuthold moved to approve R-07-10-913 - Consideration of a Resolution of the Commission of Knox County, Tennessee approving modification #1 to a grant agreement (contract number: 08-03-PY7-303-YOUTH) with the Tennessee Department of Labor and Workforce Development for establishing programs to prepare youth for re-entry into the labor force and to offer training to those facing serious barriers to productive employment. Commissioner Smith seconded the motion and upon roll call vote Commissioners Strickland, Mark Harmon, Norman, Ivan Harmon, Hammond, Leuthold, Lambert, Smith, Moore, Ballard and Pinkston voted aye. The motion carried 11-0-0-0.

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**IN RE: RESOLUTION OF THE COMMISSION OF KNOX
COUNTY, TENNESSEE APPROVING AMENDMENTS TO A
CONTRACT WITH THE CITY OF KNOXVILLE TO PROVIDE
CERTAIN GRANT FUNDS FOR THE BECK CULTURAL CENTER
FOR THE PROJECT KNOWN AS THE KNOXVILLE CULTURAL
HERITAGE TOURISM DISTRICT: R-07-10-914:**

Resolution of the Commission of Knox County, Tennessee approving amendments to a contract with the City of Knoxville to provide certain grant funds for the Beck Cultural Center for the project known as the Knoxville Cultural Heritage Tourism District was before the Board of Commissioners.

Commissioner Leuthold moved to approve R-07-10-914 - Resolution of the Commission of Knox County, Tennessee approving amendments to a contract with the City of Knoxville to provide certain grant funds for the Beck Cultural Center for the project known as the Knoxville Cultural Heritage Tourism District. Commissioner Smith seconded the motion and upon roll call vote Commissioners Strickland, Mark Harmon, Norman, Ivan Harmon, Hammond, Leuthold, Lambert, Smith, Moore, Ballard and Pinkston voted aye. The motion carried 11-0-0-0.

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IN RE: CONSIDERATION OF ACCEPTANCE OF NEW COUNTY ROADS:

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

- A. Princeton Falls Lane in the Montclair Subdivision, Unit 1. (Dist. 8)
- B. Angel Place Lane in the Bryans Meadow Subdivision, Unit 1. (Dist. 8)
- C. Heather Shay Lane in the Bryans Meadow Subdivision, Unit 1. (Dist. 8)
- D. Megan Hope Drive in the Bryans Meadow Subdivision, Unit 1. (Dist. 8)
- E. Evening Shade Lane in the Dogwood Trails Subdivision, Unit 1. (Dist. 5)
- F. Shady Knoll Lane in the Dogwood Trails Subdivision, Unit 1. (Dist. 5)

Commissioner 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, Leuthold, Lambert, Smith, Moore, Ballard and Pinkston voted aye. The motion carried 11-0-0-0.

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IN RE: CONSIDERATION OF APPROVAL OF MINUTES OF THE PREVIOUS MEETINGS: AUGUST 27, 2007, (REGULAR SESSION) SEPTEMBER 10, 2007 (SPECIAL SESSION) SEPTEMBER 24, 2007 (REGULAR SESSION):

Consideration of approval of minutes of the previous meeting on August 27, 2007 (Regular Session), September 10, 2007 (Special Session) and September 24, 2007 (Regular Session) was before the Board of Commissioners.

Commissioner Leuthold moved to approve consideration of approval of minutes of the previous meetings on August 27, 2007 (Regular Session), September 10, 2007 (Special Session) and September 24, 2007 (Regular Session). Commissioner Smith seconded the motion and upon roll call vote Commissioners Strickland, Mark Harmon, Norman, Ivan Harmon, Hammond, 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 LYNN REDMON ON THE KNOX COUNTY PUBLIC LIBRARY BOARD OF TRUSTEES: R-07-10-110:

Consideration of a Resolution of the Commission of Knox County, Tennessee approving the appointment of Lynn Redmon on the Knox County Public Library Board of Trustees was before the Board of Commissioners.

Commissioner Pinkston moved to approve R-07-10-110 - Consideration of a Resolution of the Commission of Knox County, Tennessee approving the appointment of Lynn Redmon on the Knox County Public Library Board of Trustees. Commissioner Leuthold seconded the motion and upon roll call vote Commissioners Strickland, Mark Harmon, Norman, Ivan Harmon, Hammond, 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 THE APPOINTMENT OF BROOKS CLARK ON THE KNOX COUNTY PUBLIC LIBRARY BOARD OF TRUSTEES: R-07-10-111:

Consideration of a Resolution of the Commission of Knox County, Tennessee approving the appointment of Brooks Clark on the Knox County Public Library Board of Trustees was before the Board of Commissioners.

Commissioner Pinkston moved to approve R-07-10-111 - Consideration of a Resolution of the Commission of Knox County, Tennessee approving the appointment of Brooks Clark on the Knox County Public Library Board of Trustees. Commissioner Leuthold seconded the motion and upon roll call vote Commissioners Strickland, Mark Harmon, Norman, Ivan Harmon, Hammond, 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 THE REAPPOINTMENT OF RUTHIE MCLEOD TO THE KNOX COUNTY PUBLIC LIBRARY BOARD OF TRUSTEES: R-07-10-112:

Consideration Resolution of the Commission of Knox County, Tennessee approving the reappointment of Ruthie McLeod to the Knox County Public Library Board of Trustees was before the Board of Commissioners.

Commissioner Pinkston moved to approve R-07-10-112 - Consideration of a Resolution of the Commission of Knox County, Tennessee approving the reappointment of Ruthie McLeod to the Knox County Public Library Board of Trustees. Commissioner Leuthold seconded the motion and upon roll call vote Commissioners Strickland, Mark Harmon, Norman, Ivan Harmon, Hammond, 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:

IN RE: CONSIDERATION OF CLOSURE OF PHEASANTS GLENN DRIVE. PROPERTY LOCATED OFF MIDDLEBROOK PIKE. PROPERTY OWNER: WEST PARK BAPTIST CHURCH: SECOND READING:

Consideration of closure of Pheasants Glenn Drive was before the Board of Commissioners on second reading. Property located off Middlebrook Pike. Property owner: West Park Baptist Church.

Commissioner Pinkston moved to approve consideration of closure of Pheasants Glenn Drive on second reading. Property located off Middlebrook Pike. Property owner: West Park Baptist Church. Commissioner Leuthold seconded the motion and upon roll call vote Commissioners Strickland, Mark Harmon, Norman, Ivan Harmon, Hammond, Leuthold, Lambert, Smith, Moore, Ballard and Pinkston voted aye. The motion carried 11-0-0-0.

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IN RE: CONSIDERATION OF CLOSURE OF OLD DYESTONE GAP ROAD. PROPERTY LOCATED OFF BEAVER RIDGE ROAD. PROPERTY OWNER: HUSAM AND CARINA HASAN: FIRST READING:

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

Commissioner Pinkston moved to approve consideration of closure of Old Dyestone Gap Road on first reading. Property located off Beaver Ridge Road. Property owner: Husam and Carina Hasan. Commissioner Leuthold seconded the motion and upon roll call vote Commissioners Strickland, Mark Harmon, Norman, Ivan Harmon, Hammond, 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 APPROVING A CONTRACT AGREEMENT WITH TRANE IN THE AMOUNT OF \$10,253,839.00 FOR THE PURPOSE OF FURNISHING SERVICES DESIGNED TO REDUCE ENERGY CONSUMPTION AND OPERATION COSTS, TO GUARANTEE A SPECIFIED MINIMUM LEVEL OF ENERGY SAVINGS, AND FURNISH SPECIFIED MAINTENANCE: R-07-10-202:

Consideration of a Resolution of the Commission of Knox County, Tennessee approving a contract agreement with Trane in the amount of \$10,253,839.00 for the purpose of furnishing services designed to reduce energy consumption and operation costs, to guarantee a specified minimum level of energy savings, and furnish specified maintenance was before the Board of Commissioners.

Mr. Bob Thomas, Assistant Superintendent, Knox County Schools, was present and spoke on the matter.

Mr. Owen Nevader, Solutions Leader, representing Trane, was present and spoke on the matter.

Commissioner Mark Harmon moved to approve R-07-10-202 - Consideration of a Resolution of the Commission of Knox County, Tennessee approving a contract agreement with Trane in the amount of \$10,253,839.00 for the purpose of furnishing services designed to reduce energy consumption and operation costs, to guarantee a specified minimum level of energy savings, and furnish specified maintenance. Commissioner Ivan Harmon seconded the motion and upon roll call vote Commissioners Strickland, Mark Harmon, Norman, Ivan Harmon, Hammond, 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-07-10-801:

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.

Without objection, Commissioner Moore deferred to the November Board of Commissioners meeting R-07-10-801 - 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.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE APPROPRIATING \$11,000,000.00 AND APPROVING A LEASE FINANCING AGREEMENT WITH BANC OF AMERICA CAPITAL CORP. FOR KNOX COUNTY SCHOOLS TO FINANCE ENERGY SAVING UPGRADES TO SCHOOL FACILITIES FUNDED BY THOSE ENERGY SAVINGS: R-07-10-802:

Consideration of a Resolution of the Commission of Knox County, Tennessee appropriating \$11,000,000.00 and approving a lease financing agreement with Banc of America Capital Corp. for Knox County Schools to finance energy saving upgrades to school facilities funded by those energy savings was before the Board of Commissioners.

Commissioner Hammond moved to approve R-07-10-802 - Consideration of a Resolution of the Commission of Knox County, Tennessee appropriating \$11,000,000.00 and approving a lease financing agreement with Banc of America Capital Corp. for Knox County Schools to finance energy saving upgrades to school facilities funded by those energy savings. Commissioner Ivan Harmon seconded the motion and upon roll call vote Commissioners Strickland, Mark Harmon, Norman, Ivan Harmon, Hammond, 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 CIGNA HEALTH CARE FOR THE PROVISION OF SELF-INSURED MEDICAL ADMINISTRATION SERVICES, DISEASE MANAGEMENT SERVICES, AND PHARMACY BENEFITS MANAGEMENT SERVICES: R-07-10-803:

Consideration of a Resolution of the Commission of Knox County, Tennessee approving a contract with Cigna Health Care for the provision of Self-Insured Medical Administration Services, Disease Management Services, and Pharmacy Benefits Management Services was before the Board of Commissioners.

Mr. Matt Myers, Contract Administrator for Knox County Purchasing, was present and spoke on the matter.

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

Mr. Tim Wheeler, Chief Deputy Clerk, Circuit and General Sessions Court, was present and spoke on the matter.

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

Mr. Nick McBride, Chief Deputy, Register of Deeds, was present and spoke on the matter.

Mr. Jerry Burgess, President, Health Care 21, was present and spoke on the matter.

Commissioner Mark Harmon moved to approve R-07-10-803 - Consideration of a Resolution of the Commission of Knox County, Tennessee approving a contract with Cigna Health Care for the provision of Self-Insured Medical Administration Services, Disease Management Services, and Pharmacy Benefits Management Services with the following amendment: Add the provision in the contract giving 90 days notice for the contract to be terminated without cause. Mr. Ivan Harmon seconded the motion and upon roll call vote Commissioners Strickland, Mark Harmon, Norman, Ivan Harmon, Hammond, 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 FRINGE BENEFIT MANAGEMENT COMPANY
FOR FLEXIBLE BENEFITS ADMINISTRATION SERVICES
R-07-10-804:

Consideration of a Resolution of the Commission of Knox County, Tennessee approving a contract with Fringe Benefit Management Company for Flexible Benefits Administration Services was before the Board of Commissioners.

Mr. Matt Myers, Contract Administrator for Knox County Purchasing, was present and spoke on the matter.

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

Mr. Bryan Barnard, Benefits Manager, Knox County Human Resources, was present and spoke on the matter.

Commissioner Leuthold moved to approve R-07-10-804 -

Consideration of a Resolution of the Commission of Knox County, Tennessee approving a contract with Fringe Benefit Management Company for Flexible Benefits Administration Services. Commissioner Ivan Harmon seconded the motion and upon roll call vote Commissioners Strickland, Mark Harmon, Norman, Ivan Harmon, Hammond, 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 A PUBLIC HEARING TIME, PLACE AND FORMAT TO BE DETERMINED BEFORE ANY ELECTED OFFICIAL VACANCY CAN BE FILLED BY THE KNOX COUNTY COMMISSION: R-07-10-907:

Consideration of a Resolution of the Commission of Knox County, Tennessee requiring a public hearing time, place and format to be determined before any elected official vacancy can be filled by the Knox County Commission was before the Board of Commissioners.

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

Mr. Jim McEvers, concerned citizen, was present and spoke on the matter.

Commissioner Hammond moved to approve R-07-10-907 - Consideration of a Resolution of the Commission of Knox County, Tennessee requiring a public hearing time, place and format to be determined before any elected official vacancy can be filled by the Knox County Commission. Commissioner Leuthold seconded the motion and upon roll call vote Commissioners Strickland, Mark Harmon, Norman, Ivan Harmon, Hammond, 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 REQUESTING THAT INFORMATION PACKETS FOR COUNTY COMMISSION INTERGOVERNMENTAL, FINANCE, AND REGULAR MONTHLY MEETINGS BE AVAILABLE BY 9:00 A.M. ON THE THURSDAY BEFORE SAID MEETING: R-07-10-908:

Consideration of a Resolution of the Commission of Knox County, Tennessee requesting that information packets for County Commission Intergovernmental, Finance, and regular monthly meetings be available by

9:00 a.m. on the Thursday before said meeting 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 R-07-10-908 - Consideration of a Resolution of the Commission of Knox County, Tennessee requesting that information packets for County Commission Intergovernmental, Finance, and regular monthly meetings be available by 9:00 a.m. on the Thursday before said meeting with the amendment: Have the materials for the packets in by 5:00 p.m. on the Thursday before each Intergovernmental, Finance and regular session of county commission. Commissioner Mark Harmon seconded the motion and upon roll call vote Commissioners Strickland, Mark Harmon, Norman, Ivan Harmon, Hammond, 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 SETTING THE REGULAR MONTHLY MEETING OF THE INTERGOVERNMENTAL COMMITTEE AT 8:30 A.M. ON THE THIRD MONDAY OF THE MONTH AND THE REGULAR MONTHLY MEETING OF THE FINANCE COMMITTEE AT 8:30 A.M. ON THE THIRD TUESDAY OF THE MONTH: R-07-10-909:

Consideration of a Resolution of the Commission of Knox County, Tennessee setting the regular monthly meeting of the Intergovernmental Committee at 8:30 a.m. on the third Monday of the month and the regular monthly meeting of the Finance Committee at 8:30 a.m. on the third Tuesday of the month was before the Board of Commissioners.

Commissioner Leuthold moved to withdraw from the agenda R-07-10-909 - Consideration of a Resolution of the Commission of Knox County, Tennessee setting the regular monthly meeting of the Intergovernmental Committee at 8:30 a.m. on the third Monday of the month and the regular monthly meeting of the Finance Committee at 8:30 a.m. on the third Tuesday of the month. Commissioner Strickland seconded the motion and upon roll call vote Commissioners Strickland, Mark Harmon, Norman, Ivan Harmon, Hammond, 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 SETTING THE

MEETING SCHEDULE FOR THE KNOX COUNTY COMMISSION MEETINGS TO BE 3:00 P.M. FOR THE BEER BOARD, 4:00 P.M. FOR ZONINGS, AND 5:30 P.M. FOR THE REGULAR MONTHLY COMMISSION MEETING OR IMMEDIATELY FOLLOWING ZONINGS: R-07-10-910:

Consideration of a Resolution of the Commission of Knox County, Tennessee setting the meeting schedule for the Knox County Commission meetings to be 3:00 p.m. for the Beer Board, 4:00 p.m. for Zonings, and 5:30 p.m. for the regular monthly Commission meeting or immediately following Zonings was before the Board of Commissioners.

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

Mr. Jim McEvers, concerned citizen, was present and spoke on the matter.

Commissioner Hammond moved to approve R-07-10-910 - Consideration of a Resolution of the Commission of Knox County, Tennessee setting the meeting schedule for the Knox County Commission meetings to be 3:00 p.m. (recommended time) for the Beer Board, 4:00 p.m. for Zonings, and 5:30 p.m. for the regular monthly Commission meeting or immediately following Zonings with the following amendment: Change Commission meetings to 5:00 p.m. The first Wednesday (following the first Monday) for Agenda Committee meeting in the Main Assembly Room at 1:30 p.m. Commissioner Ballard seconded the motion and upon roll call vote Commissioners Strickland, Mark Harmon, Norman, Ivan Harmon, Hammond, 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 BUSINESS INFORMATION SYSTEM, INC. (BIS) FOR COUNTY CLERK SOFTWARE SERVICES: R-07-10-911:

Consideration of a Resolution of the Commission of Knox County, Tennessee approving a contract with Business Information System, Inc. (BIS) for County Clerk software services was before the Board of Commissioners.

Mr. George Stooksbury, Chief Deputy, Knox County Clerk's Office, was present and spoke on the matter.

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

Mr. Matt Munafo, Contracts Coordinator, Knox County Purchasing, was present and spoke on the matter.

Commissioner Norman moved to approve R-07-10-911 - Consideration of a Resolution of the Commission of Knox County, Tennessee approving a contract with Business Information System, Inc. (BIS) for County Clerk software services. Commissioner Hammond seconded the motion and upon roll call vote Commissioners Strickland, Mark Harmon, Norman, Ivan Harmon, Hammond, 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 APPROVE SPENDING \$251,000.00 OUT OF COUNTY-WIDE IMPROVEMENT FOR THE BUILD OUT OF THE BURLINGTON LIBRARY SPACE TO BE LEASED TO THE UNIVERSITY OF TENNESSEE FOR CLASS ROOM SPACE: R-07-10-203:

Consideration of a Resolution of the Commission of Knox County, Tennessee to approve spending \$251,000.00 out of countywide improvement for the build out of the Burlington Library space to be leased to the University of Tennessee or classroom space was before the Board of Commissioners.

Commissioner Strickland moved to approve R-07-10-203 - Consideration of a Resolution of the Commission of Knox County, Tennessee to approve spending \$251,000.00 out of county-wide improvement for the build out of the Burlington Library space to be leased to the University of Tennessee for classroom space. Commissioner Ivan Harmon seconded the motion and upon roll call vote Commissioners Strickland, Norman, Ivan Harmon, Hammond, Leuthold, Lambert, Smith, Moore, Ballard and Pinkston voted aye. The motion carried 10-0-1-0. Commissioner Mark Harmon abstained from the vote.

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IN RE: AMENDMENT TO THE AGENDA:

Without objection, Commissioner Moore amended the agenda to hear R-07-10-105 next on the agenda.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE HONORING TED HATFIELD: R-07-10-105:

Consideration of a Resolution of the Commission of Knox County, Tennessee honoring Ted Hatfield was before the Board of Commissioners.

Ms. Martha Beeler, Administrative Assistant, George Stooksbury, Chief Deputy, Knox County Clerk's Office, was present and read the resolution into the record.

Mr. Ted Hatfield was present and thanked the Commissioners for the Resolution.

Commissioner Pinkston moved to approve R-07-10-105 – Consideration of a Resolution of the Commission of Knox County, Tennessee honoring Ted Hatfield. Commissioner Leuthold seconded the motion and upon roll call vote Commissioners Strickland, Mark Harmon, Norman, Ivan Harmon, Hammond, Leuthold, Lambert, Smith, Moore, Ballard and Pinkston voted aye. The motion carried 11-0-0-0.

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IN RE: ORDINANCE ON FIRST READING:

IN RE: CONSIDERATION OF AN 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 (ORD. NO. O-90-9-112, §11-3,9-10-90): O-07-10-101: FIRST READING:

Consideration of an 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 (Ord. No. O-90-9-112, §11-3,9-10-90) was before the Board of Commissioners on first reading.

Commissioner Pinkston moved to approve O-07-10-101 - Consideration of an 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 (Ord. No. O-90-9-112, §11-3,9-10-90) on first reading. Commissioner Leuthold seconded the motion and upon roll call vote Commissioners Strickland, Mark Harmon, Norman, Ivan Harmon, Hammond, Leuthold, Lambert, Smith, Moore, Ballard and Pinkston voted aye. The motion carried 11-0-0-0.

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IN RE: AMENDMENT TO AGENDA:

Without objection, Commissioner Moore heard from Mr. John Owings, Knox County Law Director regarding the Courts Memorandum and Order and Judgment of the Court dated October 5, 2007.

Commissioner Leuthold moved to Spread of Record The Courts Memorandum and Order and Judgment of the Court dated October 5, 2007 to be included in the minutes. Commissioner Lambert seconded the motion and upon roll call vote Commissioners Strickland, Mark Harmon, Norman, Ivan Harmon, Hammond, Leuthold, Lambert, Smith, Moore, Ballard and Pinkston voted aye. The motion carried 11-0-0-0.

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IN RE: PUBLIC FORUM:

Mr. Brian Paone, concerned citizen, was present and spoke on Knox County Recall Amendment Drive.

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Mr. Lynn Mayes, concerned citizen, was present and spoke on the Natural Resource Recovery.

Mr. Mike Cohn, representing Natural Resource Recovery, was present and spoke on the matter.

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IN RE: AMENDMENT TO THE AGENDA:

Discussion on the selection of appointments if there is no election was before the Board of Commissioners.

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

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

Ms. Teresa Shupp, concerned citizen, was present and spoke on the matter.

Mr. Steve Drevik, concerned citizen, was present and spoke on the matter.

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IN RE: ZONING REQUESTS: 4:00 P.M.

Without objection, Commissioner Moore amended the zoning agenda as follows:

Defer to the November Board of Commissioners meeting
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); Property located on the southeast side of Hickory Creek Road, southeast of West Gallaher Ferry Road.

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

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Defer to the November Board of Commissioners meeting

4-F-07-RZ – Request of The Fuller Group for rezoning from A (Agricultural) to PR (Planned Residential); 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.

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Defer to the November Board of Commissioners meeting 9-C-07-SP Request of Alex Schubert for West City Sector Plan Amendment from LDR (Low Density Residential) to O (Office); Property located on the northwest side of S. Northshore Drive, northeast side of Wallace Road. Fourth Commission District.

Mr. Arthur Seymour, Attorney, was present and spoke on the matter.

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

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Defer to the November Board of Commissioners meeting 9-E-07-RZ Request of Alex Schubert for rezoning from RA (Low Density Residential) to OA (Office Park). Property located on the northwest side of S. Northshore Drive, northeast side of Wallace Road. Fourth Commission District.

Mr. Arthur Seymour, Attorney, was present and spoke on the matter.

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

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Defer to the November Board of Commissioners meeting 8-D-07-SP Request of Rod Townsend for a North County Sector Plan amendment from LDR (Low Density Residential) to MDR (Medium Density Residential); Property located on the southeast side of E. Beaver Creek Drive, northeast of Ghiradelli Road. Seventh Commission District.

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

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Defer to the November Board of Commissioners meeting 8-K-07-RZ Request of Rod Townsend for rezoning from A (Agricultural) to PR (Planned Residential); Property located on the southeast side of E. Beaver Creek Drive, northeast of Ghiradelli Road. Seventh Commission District.

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

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Defer to the November Board of Commissioners meeting 8-A-07-SP Request of Michael C. Rhodes for South County Sector Plan Amendment from A/RR (Agricultural/Rural Residential) to LDR (Low Density Residential); Property located on the south and east sides of Stonecress Lane, south of W. Ford Valley Road. Ninth Commission District.

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

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Defer to the November Board of Commissioners meeting 8-C-07-RZ Request of Michael C. Rhodes for rezoning from A (Agricultural) to PR (Planned Residential); Property located on the south and east sides of Stonecress Lane, south of W. Ford Valley Road. Ninth Commission District.

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

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Defer to the November Board of Commissioners meeting 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) to C (Commercial) and SLPA (Slope Protection Area. Property located on the south side of Hardin Valley Road, east side of Thompson Road. Sixth Commission District.

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

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Defer to the November Board of Commissioners meeting 6-H-06-RZ – Appeal of W. C. Development, owner, of MPC Denial of rezoning from PR (Planned Residential) to CA (General Business); Property located on the south side of Hardin Valley Road, east side of Thompson Road. Sixth Commission District.

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

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Request of J. D. Robison for rezoning from A (Agricultural) to RB (General Residential); 11-Q-05-RZ was before the Board of Commissioners. Property located on the southwest side of Old Clinton Highway, northeast of Clinton Highway. Sixth Commission District.

Without objection, Commissioner Moore deferred 11-Q-05-RZ to the November Board of Commissioners.

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Request of H. Fredrick Parker Hardin Valley, LLC for rezoning from A (Agricultural) to PR (Planned Residential) and PC (Planned Commercial) 6-H-07-RZ was before the Board of Commissioners. Property located on the south side of Hardin Valley Road, southwest of Westcott Blvd. Sixth Commission District.

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

Commissioner Lambert moved to approve 6-H-07-RZ - Request of H. Fredrick Parker Hardin Valley, LLC for rezoning from A (Agricultural) to PR (Planned Residential) as per Metropolitan Planning Commission's Recommendation: Approve PC (Planned Commercial) limited to office uses only east of the proposed road 'A' and Approve PR (Planned Residential) for the southern half of the site at a density up to 4 dwelling units per acre. Commissioner Hammond seconded the motion and upon roll call vote Commissioners Strickland, Norman, Ivan Harmon, Hammond, 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 south side of Hardin Valley Road, southwest of Westcott Blvd. Sixth Commission District.

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Request of Bud Defoe for South County Sector Plan Amendment from LDR (Low Density Residential) to C (Commercial) 9-A-07-SP was before the Board of Commissioners. Property located on the west side of Burnett Creek Road, southeast side of East Governor John Sevier Highway, north side of Dewey Burnett Lane. Ninth Commission District.

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

Commissioner Pinkston moved to approve 9-A-07-SP - Request of Bud Defoe for South County Sector Plan Amendment from LDR (Low Density Residential) to C (Commercial) as per Metropolitan Planning Commission's Recommendation: Approve C (Commercial). Commissioner Smith seconded the motion and upon roll call vote Commissioners Strickland, Mark Harmon, Norman, Hammond, Leuthold, Lambert, Smith, Moore, Ballard and Pinkston voted aye. Commissioner Ivan Harmon was absent from the vote. The motion carried 10-0-0-1. Property located on the west side of Burnett Creek Road, southeast side of East Governor John Sevier Highway, north side of Dewey Burnett Lane. Ninth Commission District.

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Request of Bud Defoe for rezoning from CB (Business and Manufacturing) to CA (General Business) 9-A-07-RZ was before the Board of Commissioners. Property located on the west side of Burnett Creek Road, southeast side of East Governor John Sevier Highway, north side of Dewey Burnett Lane. Ninth Commission District.

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

Commissioner Pinkston moved to approve 9-A-07-RZ - Request of Bud Defoe for rezoning from CB (Business and Manufacturing) to CA (General Business) as per Metropolitan Planning Commission's Recommendation: Approve CA (General Business). Commissioner Smith seconded the motion and upon roll call vote Commissioners Strickland, Mark Harmon, Norman, Hammond, Leuthold, Lambert, Smith, Moore, Ballard and Pinkston voted aye. Commissioner Ivan Harmon was absent from the vote. The motion carried 10-0-0-1. Property located on the west side of Burnett Creek Road, southeast side of East Governor John Sevier Highway, north side of Dewey Burnett Lane. Ninth Commission District.

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Request of David Alley, Jr. for rezoning from A (Agricultural) to RA (Low Density Residential) 9-B-07-RZ was before the Board of Commissioners. Property located on the northwest side of Strawberry Plains Pike, northeast of Corum Road. Eighth Commission District.

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

Commissioner Ballard moved to approve 9-B-07-RZ - Request of David Alley, Jr. for rezoning from A (Agricultural) to RA (Low Density Residential) as per Metropolitan Planning Commission's Recommendation: Approve RA (Low Density Residential). Commissioner Pinkston seconded the motion and upon roll call vote Commissioners Strickland, Mark Harmon, Norman, Hammond, Leuthold, Lambert, Smith, Moore, Ballard and Pinkston voted aye. Commissioner Ivan Harmon was absent from the vote. The motion carried 10-0-0-1. Property located on the northwest side of Strawberry Plains Pike, northeast of Corum Road. Eighth Commission District.

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Request of Teresa L. Carnes for rezoning from A (Agricultural) and RB (General Residential) to OB (Office Medical, and Related Services) 9-C-07-RZ was before the Board of Commissioners. Property located on the southwest side of Old Clinton Pike, southeast of West Beaver Creek Drive. Sixth Commission District.

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

Commissioner Lambert made disclosure pursuant to Section 2 of the Knox County Code of Ethics prior to voting on the matter.

Commissioner Ballard moved to approve 9-C-07-RZ - Request of Teresa L. Carnes for rezoning from A (Agricultural) and RB (General Residential) to OB (Office Medical, and Related Services) as per Metropolitan Planning Commission's Recommendation: Approve OB (K) (Office, Medical, and Related Services) Zoning to a depth of 350 feet from Old Clinton Pike, subject to the preservation of trees in the southern and eastern portion of the site. Commissioner Lambert seconded the motion and upon roll call vote Commissioners Strickland, Mark Harmon, Norman, Hammond, Leuthold, Lambert, Smith, Moore, Ballard and Pinkston voted aye. Commissioner Ivan Harmon was absent from the vote. The motion carried 10-0-0-1. Property located on the southwest side of Old Clinton Pike, southeast of West Beaver Creek Drive. Sixth Commission District.

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Request of Southland Group for Northwest County Sector Plan Amendment from MU (Mixed Uses) (Medium Density Residential and Office) to C (Commercial) 9-B-07-SP was before the Board of Commissioners. Property located on the northwest side of Schaad Road, northeast side of Grassy Creek Way. Sixth Commission District.

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

Commissioner Lambert moved to approve 9-B-07-SP - Request of Southland Group for Northwest County Sector Plan Amendment from MU (Mixed Uses) (Medium Density Residential and Office) to C (Commercial) as per Metropolitan Planning Commission's Recommendation: Approve C (Commercial). Commissioner Leuthold seconded the motion and upon roll call vote Commissioners Strickland, Mark Harmon, Norman, Hammond, Leuthold, Lambert, Smith, Moore, Ballard and Pinkston voted aye. Commissioner Ivan Harmon was absent from the vote. The motion carried 10-0-0-1. Property located on the northwest side of Schaad Road, northeast side of Grassy Creek Way. Sixth Commission District.

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Request of Southland Group for rezoning from RB (General Residential) and A (Agricultural) to CB (Business and Manufacturing) 9-D-07-RZ was before the Board of Commissioners. Property located on the northwest side of Schaad Road, northeast side of Grassy Creek Way. Sixth Commission District.

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

Commissioner Lambert moved to approve 9-D-07-RZ - Request of Southland Group for rezoning from RB (General Residential) and A (Agricultural) to CA (General Business) as per Metropolitan Planning Commission's Recommendation: CA (General Business). Commissioner Craig Leuthold seconded the motion and upon roll call vote Commissioners Strickland, Mark Harmon, Norman, Hammond, Leuthold, Lambert, Smith, Moore, Ballard and Pinkston voted aye. Commissioner Ivan Harmon was absent from the vote. The motion carried 10-0-0-1. Property located on the northwest side of Schaad Road, northeast side of Grassy Creek Way. Sixth Commission District.

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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) 9-D-07-SP 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 Moore asked if there was any opposition to the request. There was no response.

Mr. Ron Scott, applicant, was present and spoke on behalf of the request.

Commissioner Craig Leuthold moved to defer to the November Board of Commissioners meeting 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). Commissioner Ballard seconded the motion and upon roll call vote Commissioners Strickland, Mark Harmon, Norman, Hammond, Leuthold, Lambert, Smith, Moore, Ballard and Pinkston voted aye. Commissioner Ivan Harmon was absent from the vote. The motion carried 10-0-0-1. Property located on the north side of Oak Ridge Highway, east of Karns Valley Drive. Sixth Commission District

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Request of Westcott Realty for rezoning from A (Agricultural) and F (Floodway) to OA (Office Park) and F (Floodway) 9-F-07-RZ 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 Moore asked if there was any opposition to the request. There was no response.

Mr. Ron Scott, applicant, was present and spoke on behalf of the request.

Commissioner Craig Leuthold moved to defer to the November Board of Commissioners meeting 9-F-07-RZ - Request of Westcott Realty for rezoning from A (Agricultural) and F (Floodway) to OA (Office Park) and F (Floodway). Commissioner Ballard seconded the motion and upon roll call vote Commissioners Strickland, Mark Harmon, Norman, Hammond, Leuthold, Lambert, Smith, Moore, Ballard and Pinkston voted aye. Commissioner Ivan Harmon was absent from the vote. The motion carried 10-0-0-1. Property located on the north side of Oak Ridge Highway, east of Karns Valley Drive. Sixth Commission District.

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Request of J. K. Rymer Homes for rezoning from RA (Low Density Residential) to PR (Planned Residential) 9-G-07-RZ was before the Board of Commissioners. Property located on the southwest side of Belt Road, southeast side of Smallwood Drive. Ninth Commission District

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

Commissioner Pinkston moved to approve 9-G-07-RZ - Request of J. K. Rymer Homes for rezoning from RA (Low Density Residential) to PR (Planned Residential) as per Metropolitan Planning Commission's Recommendation: Approve PR (Planned Residential) at a density of up to 3 dwelling units per acre. Commissioner Strickland seconded the motion and upon roll call vote Commissioners Strickland, Mark Harmon, Norman, Hammond, Leuthold, Lambert, Smith, Moore, Ballard and Pinkston voted aye. Commissioner Ivan Harmon was absent from the vote. The motion carried 10-0-0-1. Property located on the southwest side of Belt Road, southeast side of Smallwood Drive. Ninth Commission District.

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Request of Furrow Realty Fund, L. P. for East County Sector Plan Amendment from O (Office) to C (Commercial) 9-E-07-SP was before the Board of Commissioners. Property located on the northwest side of Strawberry Plains Pike, south side of I-40, east side of Union School Road. Eighth Commission District.

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

Mr. Jared Corby, applicant, was present and spoke on behalf of the request.

Commissioner Ballard moved to approve 9-E-07-SP - Request of Furrow Realty Fund, L. P. for East County Sector Plan Amendment from

O (Office) to C (Commercial) as per Metropolitan Planning Commission's Recommendation: C (Commercial) Sector Plan Designation for portion of the Site as shown on attached MPC Staff Recommendation Map.

Commissioner Pinkston seconded the motion and upon roll call vote Commissioners Strickland, Mark Harmon, Norman, Hammond, Leuthold, Lambert, Smith, Moore, Ballard and Pinkston voted aye. Commissioner Ivan Harmon was absent from the vote. The motion carried 10-0-0-1.

Property located on the northwest side of Strawberry Plains Pike, south side of I-40, east side of Union School Road. Eighth Commission District.

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Request of Furrow Realty Fund, L. P. for rezoning from OB (Office, Medical, and Related Services) and A (Agricultural) to CB (Business and Manufacturing) 9-H-07-RZ was before the Board of Commissioners.

Property located on the northwest side of Strawberry Plains Pike, south side of I-40, east side of Union School Road. Eighth Commission District.

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

Mr. Jared Corby, applicant, was present and spoke on behalf of the request.

Commissioner Ballard moved to approve 9-H-07-RZ - Request of Furrow Realty Fund, L. P. for rezoning from OB (Office, Medical, and Related Services) and A (Agricultural) to CB (Business and Manufacturing) as per Metropolitan Planning Commission's Recommendation: Approve CB (Business and Manufacturing) for the Eastern Portion of the site and OB (Office, Medical, and Related Services) for the Western Portion as shown on attached MPC Staff Recommendation Map. Commissioner Pinkston seconded the motion and upon roll call vote Commissioners Strickland, Mark Harmon, Norman, Hammond, Leuthold, Lambert, Smith, Moore, Ballard and Pinkston voted aye. Commissioner Ivan Harmon was absent from the vote. The motion carried 10-0-0-1. Property located on the northwest side of Strawberry Plains Pike, south side of I-40, east side of Union School Road. Eighth Commission District.

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Request of M&M Partners for rezoning from A (Agricultural) to PR (Planned Residential) 9-M-07-RZ was before the Board of Commissioners. Property located on the northeast side of N. Campbell Station Road, northeast of Fretz Road. Fifth Commission District.

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

Commissioner Craig Leuthold moved to approve 9-M-07-RZ

Request of M&M Partners for rezoning from A (Agricultural) to PR (Planned Residential) as per Metropolitan Planning Commission's Recommendation: Approve PR (Planned Residential) at a density up to 4 dwelling units per acre. Commissioner Hammond seconded the motion and upon roll call vote Commissioners Strickland, Norman, Hammond, Leuthold, Lambert, Smith, Moore, Ballard and Pinkston voted aye. Commissioner Mark Harmon voted no. Commissioner Ivan Harmon was absent from the vote. The motion carried 9-1-0-1. Property located on the northeast side of N. Campbell Station Road, northeast of Fretz Road. Fifth Commission District.

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Request of Metropolitan Planning Commission for rezoning from A (Agricultural) to PR (Planned Residential) 10-W-07-RZ was before the Board of Commissioners. Property located on the southwest side of Bakertown Road, west of Joe Hinton Road. Fifth Commission District.

Mr. Buzz Johnson, Director, Development Services, 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 Hammond moved to approve 10-W-07-RZ Request of Metropolitan Planning Commission for rezoning from A (Agricultural) to PR (Planned Residential) as per Metropolitan Planning Commission's Recommendation: Complete package will be forwarded after the October 11 Metropolitan Planning Commission meeting. Commissioner Craig Leuthold seconded the motion and upon roll call vote Commissioners Strickland, Mark Harmon, Norman, Hammond, Leuthold, Lambert, Smith, Moore, Ballard and Pinkston voted aye. Commissioner Ivan Harmon was absent from the vote. The motion carried 10-0-0-1. Property located on the southwest side of Bakertown Road, west of Joe Hinton Road. Fifth Commission District.

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Appeal by Hardin Valley Land Partners, LLC, owner, of TTCDA approval of condition to use only high-pressure sodium lighting 07.042.0 was before the Board of Commissioners. Property located on the northeast side of Valley Vista Road, southeast of Hardin Valley Road. Sixth Commission District.

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

Ms. Teresa Shope, was present and spoke in opposition to the request. Commissioner Lambert moved to defer to the November Board of Commissioners meeting 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.

Commissioner Craig Leuthold moved as a substitute motion to deny Appeal by Hardin Valley Land Partners, LLC, owner, of TTCDA approval of condition to use only high-pressure sodium lighting. Commissioner Mark Harmon seconded the motion and upon roll call vote Commissioners Strickland, Mark Harmon, Norman, Leuthold and Ballard voted aye. Commissioners Hammond, Lambert, Smith, Moore and Pinkston voted no. Commissioner Ivan Harmon was absent from the vote. The substitute motion failed 5-5-0-1.

Upon roll call of original motion to defer to the November Board of Commissioners meeting 07.042.0 Appeal by Hardin Valley Land Partners, LLC, owner, of TTCDA approval of condition to use only high-pressure sodium lighting Commissioners Strickland, Hammond, Leuthold, Lambert, Smith, Moore, Ballard and Pinkston voted aye. Commissioners Mark Harmon and Norman voted no. Commissioner Ivan Harmon was absent from the vote. The motion carried 8-2-0-1.

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IN RE: ADJOURNMENT:

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

SCOTT MOORE, CHAIRMAN