

KNOX COUNTY BOARD OF COMMISSIONERS

The Knox County Board of Commissioners met in Regular Session on Monday, January 22, 2007 at 2:00 p.m. in the Main Assembly Room of the City-County Building, Main Avenue. Those members present were Commissioners Jordan, Strickland, Mark Harmon, Tindell, Norman, Ivan Harmon, Guthe, Schmid, Hammond, Leuthold, Griess, Cawood, Lambert, Smith, Moore, Ballard, Mills, Clark and Pinkston. Also present were Mr. John Owings, Knox County Law Director, Mr. Richard Walls, Knox County Internal Auditor, Mr. Mike Ragsdale, Knox County Mayor, Mr. John Werner, Knox County Finance Director, Mr. Ewing “Buzz” Johnson, Deputy Director for Metropolitan Planning Commission, Mr. Mark Donaldson, Executive Director for Metropolitan Planning Commission, and members of the news media.

Commissioner Moore, Chairman, presided.

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

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IN RE: ROLL CALL:

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

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IN RE: DEVOTIONAL:

Mr. Samrit Kammanee, Graduate of East Tennessee School of Preaching and Missions, gave the devotional.

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IN RE: PLEDGE OF ALLEGIANCE TO THE FLAG:

Commissioner R. Larry Smith led the Pledge of Allegiance to the Flag.

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IN RE: AMENDMENTS TO THE AGENDA:

1. Without objection, Commissioner Moore amended the agenda to add the following items: Resolution R-07-1-302 – Consideration of a Resolution of the Commission of Knox County, Tennessee, approving an agreement with the Organized Crime Drug Enforcement Task Forces (OCDETF) for the use of the OCDETF State and Local Overtime and Authorized Expense Program for the reimbursement of overtime costs; Resolution R-07-1-303 - Consideration of a Resolution of the Commission of Knox County, Tennessee, approving the 2007 Appalachia HIDTA grant

agreement; Resolution R-07-1-403 - Consideration of a Resolution of the Commission of Knox County, Tennessee, approving a contract with CH2M Hill for Engineering Services for the Beaver Creek Watershed Project; Resolution R-07-1-803 - Consideration of a Resolution of the Commission of Knox County, Tennessee, approving a lease agreement with the University of Tennessee and for space located at Knox County's Burlington Library; Resolution R-07-1-906 - Consideration of a Resolution of the Commission of Knox County, Tennessee, approving a special procedure by which to replace the eight Commissioners and four Countywide Elected Officials affected by the Supreme Court Ruling; and Resolution R-07-1-907 Consideration of a Resolution of the Commission of Knox County, Tennessee, calling for a Special Election to replace the eight Commissioners and four Countywide Elected Officials affected by the Supreme Court Ruling.

2. Without objection, Commissioner Moore amended the agenda to hear Resolution R-07-1-907 before Resolution R-07-1-906.

3. Without objection, Commissioner Moore amended the agenda to remove the following item from the Consent Agenda and hear on the Regular Agenda: Resolution R-07-1-101 - Consideration of a Resolution of the Commission of Knox County, Tennessee, honoring Ann Redmon.

4. Without objection, Commissioner Moore amended the agenda to remove the following item from the Consent Agenda and hear on the Regular Agenda: Resolution R-07-1-803 - Consideration of a Resolution of the Commission of Knox County, Tennessee, approving a lease agreement with the University of Tennessee and for space located at Knox County's Burlington Library.

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IN RE: **CONSENT ITEMS:**

1. Tax Refunds:
No request received.

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2. Notary Public Applications:
211 Notary Public Applications received.

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

Commissioner Griess moved to approve all Consent Items. Commissioner Ivan Harmon seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Mark Harmon, Tindell, Norman, Ivan Harmon, Guthe, Schmid, Hammond, Leuthold, Griess, Cawood, Lambert, Smith, Moore, Ballard, Mills, Clark and Pinkston voted aye. The motion carried 19-0-0-0.

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IN RE: EDUCATION CONSENT CALENDAR:

IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, APPROVING CONTRACTS WITH M & W PRODUCTS, INC., ACCREDITED LOCK SUPPLY, SMOKEY MOUNTAIN PRODUCTS, INC. AND WHITEHORNE DOOR & HARDWARE FOR THE PROVISION OF DOORS AND ACCESSORIES – R-07-1-201:

Consideration of a Resolution of the Commission of Knox County, Tennessee, approving contracts with M & W Products, Inc., Accredited Lock Supply, Smokey Mountain Products, Inc. and Whitehorne Door & Hardware for the provision of doors and accessories was before the Board of Commissioners.

Commissioner Mills moved to approve Resolution R-07-1-201 Resolution of the Commission of Knox County, Tennessee, approving contracts with M & W Products, Inc., Accredited Lock Supply, Smokey Mountain Products, Inc. and Whitehorne Door & Hardware for the provision of doors and accessories. Commissioner Cawood seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Mark Harmon,

Tindell, Norman, Ivan Harmon, Guthe, Schmid, Hammond, Leuthold, Griess, Cawood, Lambert, Smith, Moore, Ballard, Mills, Clark and Pinkston voted aye. The motion carried 19-0-0-0.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, APPROVING A CONTRACT WITH RINKER MATERIALS FOR THE PROVISION OF CONCRETE- R-07-1-202:

Consideration of a Resolution of the Commission of Knox County, Tennessee, approving a contract with Rinker Materials for the provision of concrete was before the Board of Commissioners.

Commissioner Mills moved to approve Resolution R-07-1-202 Resolution of the Commission of Knox County, Tennessee, approving a contract with Rinker Materials for the provision of concrete. Commissioner Griess seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Mark Harmon, Tindell, Norman, Ivan Harmon, Guthe, Schmid, Hammond, Leuthold, Griess, Cawood, Lambert, Smith, Moore, Ballard, Mills, Clark and Pinkston voted aye. The motion carried 19-0-0-0.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, APPROVING A UTILITY EASEMENT AT CORRYTON ELEMENTARY SCHOOL FOR KNOXVILLE UTILITIES BOARD (KUB) - R-07-1-203:

Consideration of a Resolution of the Commission of Knox County, Tennessee, approving a utility easement at Corryton Elementary School for Knoxville Utilities Board (KUB) was before the Board of Commissioners.

Commissioner Mills moved to approve Resolution R-07-1-203 Resolution of the Commission of Knox County, Tennessee, approving a utility easement at Corryton Elementary School for Knoxville Utilities Board (KUB). Commissioner Griess seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Mark Harmon, Tindell, Norman, Ivan Harmon, Guthe, Schmid, Hammond, Leuthold, Griess, Cawood, Lambert, Smith, Moore, Ballard, Mills, Clark and Pinkston voted aye. The motion carried 19-0-0-0.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, APPROVING A CONTRACT WITH KEL-SAN, INC. FOR THE PROVISION OF ROLL PAPER TOWELS AND DISPENSER SERVICES – R-07-1-204:

Consideration of a Resolution of the Commission of Knox County, Tennessee, approving a contract with Kel-San, Inc. for the provision of roll paper towels and dispenser services was before the Board of Commissioners.

Commissioner Mills moved to approve Resolution R-07-1-204 Resolution of the Commission of Knox County, Tennessee, approving a contract with Kel-San, Inc. for the provision of roll paper towels and dispenser services. Commissioner Griess seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Mark Harmon, Tindell, Norman, Ivan Harmon, Guthe, Schmid, Hammond, Leuthold, Griess, Cawood, Lambert, Smith, Moore, Ballard, Mills, Clark and Pinkston voted aye. The motion carried 19-0-0-0.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, APPROVING CONTRACTS WITH GALLAHER AND ASSOCIATES, INC. AND CONSOLIDATED ELECTRONIC SYSTEM FOR THE PROVISION OF FIRE ALARM INSTALLATION AND REPAIR SERVICES – R-07-1-205:

Consideration of a Resolution of the Commission of Knox County, Tennessee, approving contracts with Gallaher and Associates, Inc. and Consolidated Electronic System for the provision of fire alarm installation and repair services was before the Board of Commissioners.

Commissioner Mills moved to approve Resolution R-07-1-205 Resolution of the Commission of Knox County, Tennessee, approving contracts with Gallaher and Associates, Inc. and Consolidated Electronic System for the provision of fire alarm installation and repair services. Commissioner Griess seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Mark Harmon, Tindell, Norman, Ivan Harmon, Guthe, Schmid, Hammond, Leuthold, Griess, Cawood, Lambert, Smith, Moore, Ballard, Mills, Clark and Pinkston voted aye. The motion carried 19-0-0-0.

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IN RE: CONSENT CALENDAR:

IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, HONORING ANN REDMON – R-07-1-101:

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 A GRANT AGREEMENT IN THE AMOUNT OF \$93,500.00 WITH THE TENNESSEE STATE LIBRARY AND ARCHIVES FOR GENERAL LIBRARY SERVICES FUNDS FOR FY2007 – R-07-1-206:

Consideration of a Resolution of the Commission of Knox County, Tennessee, approving a grant agreement in the amount of \$93,500.00 with the Tennessee State Library and Archives for general library services funds for FY2007 was before the Board of Commissioners.

Commissioner Griess moved to approve Resolution R-07-1-206 Resolution of the Commission of Knox County, Tennessee, approving a grant agreement in the amount of \$93,500.00 with the Tennessee State Library and Archives for general library services funds for FY2007. Commissioner Mills seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Mark Harmon, Tindell, Norman, Ivan Harmon, Guthe, Schmid, Hammond, Leuthold, Griess, Cawood, Lambert, Smith, Moore, Ballard, Mills, Clark and Pinkston voted aye. The motion carried 19-0-0-0.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, APPROVING AMENDMENT FOUR TO GRANT CONTRACT Z-05-020611-00 BETWEEN THE STATE OF TENNESSEE BOARD OF PROBATION AND PAROLE AND KNOX COUNTY ALTERNATIVE TO PRISON PROGRAM – R-07-1-301:

Consideration of a Resolution of the Commission of Knox County, Tennessee, approving Amendment Four to grant contract Z-05-020611-00 between the State of Tennessee Board of Probation and Parole and Knox County Alternative to Prison Program was before the Board of Commissioners.

Commissioner Griess moved to approve Resolution R-07-1-301 Resolution of the Commission of Knox County, Tennessee, approving Amendment Four to grant contract Z-05-020611-00 between the State of Tennessee Board of Probation and Parole and Knox County Alternative to Prison Program. Commissioner Mills seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Mark Harmon, Tindell, Norman, Ivan Harmon, Guthe, Schmid, Hammond, Leuthold, Griess, Cawood, Lambert, Smith, Moore, Ballard, Mills, Clark and Pinkston voted aye. The motion carried 19-0-0-0.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, APPROVING AN AGREEMENT WITH THE ORGANIZED CRIME DRUG ENFORCEMENT TASK FORCES (OCDETF) FOR THE USE OF THE OCDETF STATE AND LOCAL OVERTIME AND AUTHORIZED EXPENSE PROGRAM FOR THE REIMBURSEMENT OF OVERTIME COSTS – R-07-1-302:

Consideration of a Resolution of the Commission of Knox County, Tennessee, approving an agreement with the Organized Crime Drug Enforcement Task Forces (OCDETF) for the use of the OCDETF State and Local Overtime and Authorized Expense Program for the reimbursement of overtime costs was before the Board of Commissioners.

Commissioner Griess moved to approve Resolution R-07-1-302 Resolution of the Commission of Knox County, Tennessee, approving an agreement with the Organized Crime Drug Enforcement Task Forces (OCDETF) for the use of the OCDETF State and Local Overtime and Authorized Expense Program for the reimbursement of overtime costs. Commissioner Mills seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Mark Harmon, Tindell, Norman, Ivan Harmon, Guthe, Schmid, Hammond, Leuthold, Griess, Cawood, Lambert, Smith, Moore, Ballard, Mills, Clark and Pinkston voted aye. The motion carried 19-0-0-0.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, APPROVING THE 2007 APPALACHIA HIDTA GRANT AGREEMENT – R-07-1-303:

Consideration of a Resolution of the Commission of Knox County, Tennessee, approving the 2007 Appalachia HIDTA grant agreement was before the Board of Commissioners.

Commissioner Griess moved to approve Resolution R-07-1-303 Resolution of the Commission of Knox County, Tennessee, approving the 2007 Appalachia HIDTA grant agreement. Commissioner Mills seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Mark Harmon, Tindell, Norman, Ivan Harmon, Guthe, Schmid, Hammond, Leuthold, Griess, Cawood, Lambert, Smith, Moore, Ballard, Mills, Clark and Pinkston voted aye. The motion carried 19-0-0-0.

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

SURVEY CORRECTION ALONG THE EASTERN BOUNDARIES OF THE HARDIN VALLEY HIGH SCHOOL AND CONVEYING PROPERTY IN ACCORDANCE WITH SURVEY CORRECTION – R-07-1-401:

Consideration of a Resolution of the Commission of Knox County, Tennessee, approving a survey correction along the eastern boundaries of the Hardin Valley High School and conveying property in accordance with survey correction was before the Board of Commissioners.

Commissioner Griess moved to approve Resolution R-07-1-401 Resolution of the Commission of Knox County, Tennessee, approving a survey correction along the eastern boundaries of the Hardin Valley High School and conveying property in accordance with survey correction. Commissioner Mills seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Mark Harmon, Tindell, Norman, Ivan Harmon, Guthe, Schmid, Hammond, Leuthold, Griess, Cawood, Lambert, Smith, Moore, Ballard, Mills, Clark and Pinkston voted aye. The motion carried 19-0-0-0.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, APPROVING COVENANTS FOR PERMANENT MAINTENANCE OF STORMWATER FACILITIES BY COVERED BRIDGE, LLC FOR PROPERTY LOCATED ON HICKORY CREEK ROAD – R-07-1-402:

Consideration of a Resolution of the Commission of Knox County, Tennessee, approving covenants for permanent maintenance of stormwater facilities by Covered Bridge, LLC for property located on Hickory Creek Road was before the Board of Commissioners.

Commissioner Griess moved to approve Resolution R-07-1-402 Resolution of the Commission of Knox County, Tennessee, approving covenants for permanent maintenance of stormwater facilities by Covered Bridge, LLC for property located on Hickory Creek Road. Commissioner Mills seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Mark Harmon, Tindell, Norman, Ivan Harmon, Guthe, Schmid, Hammond, Leuthold, Griess, Cawood, Lambert, Smith, Moore, Ballard, Mills, Clark and Pinkston voted aye. The motion carried 19-0-0-0.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, APPROVING A CONTRACT WITH CH2M HILL FOR ENGINEERING SERVICES FOR THE BEAVER CREEK WATERSHED PROJECT – R-07-1-403:

Consideration of a Resolution of the Commission of Knox County, Tennessee, approving a contract with CH2M Hill for Engineering Services for the Beaver Creek Watershed Project was before the Board of Commissioners.

Commissioner Griess moved to approve Resolution R-07-1-403 Resolution of the Commission of Knox County, Tennessee, approving a contract with CH2M Hill for Engineering Services for the Beaver Creek Watershed Project. Commissioner Mills seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Mark Harmon, Tindell, Norman, Ivan Harmon, Guthe, Schmid, Hammond, Leuthold, Griess, Cawood, Lambert, Smith, Moore, Ballard, Mills, Clark and Pinkston voted aye. The motion carried 19-0-0-0.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, APPROVING A GRANT AGREEMENT IN THE AMOUNT OF \$196,100.00 WITH THE STATE OF TENNESSEE DEPARTMENT OF HEALTH FOR IMMUNIZATION SERVICES FOR 2007 – R-07-1-601:

Consideration of a Resolution of the Commission of Knox County, Tennessee, approving a grant agreement in the amount of \$196,100.00 with the State of Tennessee Department of Health for Immunization Services for 2007 was before the Board of Commissioners.

Commissioner Griess moved to approve Resolution R-07-1-601 Resolution of the Commission of Knox County, Tennessee, approving a grant agreement in the amount of \$196,100.00 with the State of Tennessee Department of Health for Immunization Services for 2007. Commissioner Mills seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Mark Harmon, Tindell, Norman, Ivan Harmon, Guthe, Schmid, Hammond, Leuthold, Griess, Cawood, Lambert, Smith, Moore, Ballard, Mills, Clark and Pinkston voted aye. The motion carried 19-0-0-0.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, APPROVING A GRANT AGREEMENT IN THE AMOUNT OF \$15,000.00 WITH THE TENNESSEE WILDLIFE RESOURCES AGENCY GRANT FOR THE PROVISION OF FURNISHING SUPPLIES AND MATERIALS TO REPAIR A FISHING PIER AT CONCORD PARK – R-07-1-701:

Consideration of a Resolution of the Commission of Knox County, Tennessee, approving a grant agreement in the amount of \$15,000.00 with the Tennessee Wildlife Resources Agency Grant for the

provision of furnishing supplies and materials to repair a fishing pier at Concord Park was before the Board of Commissioners.

Commissioner Griess moved to approve Resolution R-07-1-701 Resolution of the Commission of Knox County, Tennessee, approving a grant agreement in the amount of \$15,000.00 with the Tennessee Wildlife Resources Agency Grant for the provision of furnishing supplies and materials to repair a fishing pier at Concord Park. Commissioner Mills seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Mark Harmon, Tindell, Norman, Ivan Harmon, Guthe, Schmid, Hammond, Leuthold, Griess, Cawood, Lambert, Smith, Moore, Ballard, Mills, Clark and Pinkston voted aye. The motion carried 19-0-0-0.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, APPROVING A CONTRACT FOR SALE OF PROPERTY LOCATED AT 5206 CLAIRIDGE ROAD TO JAMES P. KEEBLER – R-07-1-801:

Consideration of a Resolution of the Commission of Knox County, Tennessee, approving a contract for sale of property located at 5206 Clairidge Road to James P. Keebler was before the Board of Commissioners.

Commissioner Griess moved to approve Resolution R-07-1-801 Resolution of the Commission of Knox County, Tennessee, approving a contract for sale of property located at 5206 Clairidge Road to James P. Keebler. Commissioner Mills seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Mark Harmon, Tindell, Norman, Ivan Harmon, Guthe, Schmid, Hammond, Leuthold, Griess, Cawood, Lambert, Smith, Moore, Ballard, Mills, Clark and Pinkston voted aye. The motion carried 19-0-0-0.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, APPROVING A GRANT AGREEMENT IN THE AMOUNT OF \$365,260.46 WITH THE STATE OF TENNESSEE, DEPARTMENT OF MILITARY, TENNESSEE EMERGENCY MANAGEMENT AGENCY, FOR THE PROVISION OF PUBLIC ASSISTANCE PURSUANT TO PRESIDENTIAL DISASTER DECLARATION NUMBER FEMA-3217-EM-TN FOR HURRICANE KATRINA EVACUATION THAT BEGAN IN AUGUST 2005 – R-07-1-802:

Consideration of a Resolution of the Commission of Knox County, Tennessee, approving a grant agreement in the amount of \$365,260.46 with the State of Tennessee, Department of Military, Tennessee

Emergency Management Agency, for the provision of Public Assistance pursuant to Presidential Disaster Declaration Number FEMA-3217-EM-TN for Hurricane Katrina evacuation that began in August 2005 was before the Board of Commissioners.

Commissioner Griess moved to approve Resolution R-07-1-802 Resolution of the Commission of Knox County, Tennessee, approving a grant agreement in the amount of \$365,260.46 with the State of Tennessee, Department of Military, Tennessee Emergency Management Agency, for the provision of Public Assistance pursuant to Presidential Disaster Declaration Number FEMA-3217-EM-TN for Hurricane Katrina evacuation that began in August 2005. Commissioner Mills seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Mark Harmon, Tindell, Norman, Ivan Harmon, Guthe, Schmid, Hammond, Leuthold, Griess, Cawood, Lambert, Smith, Moore, Ballard, Mills, Clark and Pinkston voted aye. The motion carried 19-0-0-0.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, APPROVING A LEASE AGREEMENT WITH THE UNIVERSITY OF TENNESSEE AND FOR SPACE LOCATED AT KNOX COUNTY'S BURLINGTON LIBRARY – R-07-1-803:

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, REQUESTING MPC TO STUDY AND MAKE A RECOMMENDATION TO THE KNOX COUNTY COMMISSION REGARDING THE USE OF DUPLEXES AND GARAGE APARTMENTS IN AN AGRICULTURAL ZONE - R-07-1-901:

Consideration of a Resolution of the Commission of Knox County, Tennessee, requesting MPC to study and make a recommendation to the Knox County Commission regarding the use of Duplexes and Garage Apartments in an Agricultural Zone was before the Board of Commissioners.

Commissioner Griess moved to approve Resolution R-07-1-901 Resolution of the Commission of Knox County, Tennessee, requesting MPC to study and make a recommendation to the Knox County Commission regarding the use of Duplexes and Garage Apartments in an Agricultural Zone. Commissioner Mills seconded the motion and upon roll call vote

Commissioners Jordan, Strickland, Mark Harmon, Tindell, Norman, Ivan Harmon, Guthe, Schmid, Hammond, Leuthold, Griess, Cawood, Lambert, Smith, Moore, Ballard, Mills, Clark and Pinkston voted aye. The motion carried 19-0-0-0.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, REQUESTING THE KNOX COUNTY CLERK, THROUGH THE BUSINESS LICENSING DEPARTMENT, NOTIFY KNOX COUNTY COMMISSIONERS OF THE ISSUANCE OF ANY BUSINESS LICENSE IN THEIR DISTRICTS – R-07-1-902:

Consideration of a Resolution of the Commission of Knox County, Tennessee, requesting the Knox County Clerk, through the Business Licensing Department, notify Knox County Commissioners of the issuance of any business license in their districts was before the Board of Commissioners.

Commissioner Griess moved to approve Resolution R-07-1-902 Resolution of the Commission of Knox County, Tennessee, requesting the Knox County Clerk, through the Business Licensing Department, notify Knox County Commissioners of the issuance of any business license in their districts. Commissioner Mills seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Mark Harmon, Tindell, Norman, Ivan Harmon, Guthe, Schmid, Hammond, Leuthold, Griess, Cawood, Lambert, Smith, Moore, Ballard, Mills, Clark and Pinkston voted aye. The motion carried 19-0-0-0.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, THAT THE KNOX COUNTY PURCHASING DEPARTMENT AND THE KNOX COUNTY LAW DEPARTMENT REQUIRE THAT ANY PERSON OR BUSINESS THAT CONTRACTS, THROUGH LEASE OR OTHERWISE, WITH KNOX COUNTY BE CURRENT IN THEIR FEDERAL, STATE, COUNTY AND CITY TAXES OF WHATEVER KIND OR NATURE – R-07-1-903:

Consideration of a Resolution of the Commission of Knox County, Tennessee, that the Knox County Purchasing Department and the Knox County Law Department require that any person or business that contracts, through lease or otherwise, with Knox County be current in their Federal, State, County and City Taxes of whatever kind or nature was before the Board of Commissioners.

Commissioner Griess moved to approve Resolution R-07-1-903 Resolution of the Commission of Knox County, Tennessee, that the Knox County Purchasing Department and the Knox County Law Department require that any person or business that contracts, through lease or otherwise, with Knox County be current in their Federal, State, County and City Taxes of whatever kind or nature. Commissioner Mills seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Mark Harmon, Tindell, Norman, Ivan Harmon, Guthe, Schmid, Hammond, Leuthold, Griess, Cawood, Lambert, Smith, Moore, Ballard, Mills, Clark and Pinkston voted aye. The motion carried 19-0-0-0.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, ADOPTING THE COUNTY TECHNICAL ASSISTANCE SERVICE (CTAS) MODEL ETHICS POLICY PURSUANT TO T.C.A. 8-17-101 ET SEQ. – R-07-1-904:

Consideration of a Resolution of the Commission of Knox County, Tennessee, adopting the County Technical Assistance Service (CTAS) Model Ethics Policy pursuant to T.C.A. 8-17-101 et seq. was before the Board of Commissioners.

Commissioner Griess moved to approve Resolution R-07-1-904 Resolution of the Commission of Knox County, Tennessee, adopting the County Technical Assistance Service (CTAS) Model Ethics Policy pursuant to T.C.A. 8-17-101 et seq. Commissioner Mills seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Mark Harmon, Tindell, Norman, Ivan Harmon, Guthe, Schmid, Hammond, Leuthold, Griess, Cawood, Lambert, Smith, Moore, Ballard, Mills, Clark and Pinkston voted aye. The motion carried 19-0-0-0.

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IN RE: ACCEPTANCE OF NEW COUNTY ROADS:

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

- A. Branch Field Lane, Wood Run Subdivision, Unit I, District 6.
- B. Woodpath Drive, Cottonwood Subdivision, Unit II, District 6.
- C. Yorkwood Lane, Cottonwood Subdivision, Unit II, District 6.
- D. Little Brook Lane, Marlin Place Subdivision, Unit I. District 6.
- E. Courtyard Way. District 6.

Commissioner Griess moved to approve the above acceptance of new county roads. Commissioner Mills seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Mark Harmon, Tindell, Norman,

Ivan Harmon, Guthe, Schmid, Hammond, Leuthold, Griess, Cawood, Lambert, Smith, Moore, Ballard, Mills, Clark and Pinkston voted aye. The motion carried 19-0-0-0.

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IN RE: APPROVAL OF MINUTES OF PREVIOUS MEETING:

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

Commissioner Mills moved to approve the minutes of the previous meeting. Commissioner Cawood seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Mark Harmon, Tindell, Norman, Ivan Harmon, Guthe, Schmid, Hammond, Leuthold, Griess, Cawood, Lambert, Smith, Moore, Ballard, Mills, Clark and Pinkston voted aye. The motion carried 19-0-0-0.

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IN RE: ELECTIONS AND APPOINTMENTS:

IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, APPROVING THE APPOINTMENT OF NEAL DENTON TO THE KNOXVILLE/KNOX COUNTY FOOD POLICY COUNCIL – R-07-1-110:

Consideration of a Resolution of the Commission of Knox County, Tennessee, approving the appointment of Neal Denton to the Knoxville/Knox County Food Policy Council was before the Board of Commissioners.

Commissioner Tindell moved to approve Resolution R-07-1-110 - Resolution of the Commission of Knox County, Tennessee, approving the appointment of Neal Denton to the Knoxville/Knox County Food Policy Council. Commissioner Mills seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Mark Harmon, Tindell, Norman, Ivan Harmon, Guthe, Schmid, Hammond, Leuthold, Griess, Cawood, Lambert, Smith, Moore, Ballard, Mills, Clark and Pinkston voted aye. The motion carried 19-0-0-0.

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IN RE: DRIVES AND ROADS:

Consideration of closure of section of East Raccoon Valley Road was before the Board of Commissioners on second reading. Property located off Norris Freeway. Knox County, property owner.

Mr. Bruce Wuethrich, Director for Knox County Engineering and Public Works, Ms. Agnes Welch and Mr. Jeffrey Corthell, area residents, were present and spoke on the matter.

Commissioner Griess moved to approve the closure of section of East Raccoon Valley Road on second reading. Commissioner Leuthold seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Mark Harmon, Tindell, Norman, Ivan Harmon, Guthe, Schmid, Hammond, Leuthold, Griess, Cawood, Lambert, Smith, Moore, Ballard, Mills, Clark and Pinkston voted no. The motion failed 0-19-0-0.

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IN RE: RESOLUTIONS:

IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, HONORING ANN REDMON – R-07-1-101:

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

Commissioner Mills moved to approve Resolution R-07-1-101 Resolution of the Commission of Knox County, Tennessee, honoring Ann Redmon. Commissioner Tindell seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Mark Harmon, Tindell, Norman, Ivan Harmon, Guthe, Schmid, Hammond, Leuthold, Griess, Cawood, Lambert, Smith, Moore, Ballard, Mills, Clark and Pinkston voted aye. The motion carried 19-0-0-0.

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

Mr. Lynn Redmon, husband, was present to accept the resolution on behalf of Ms. Redmon, and expressed appreciation to the Commission for the resolution.

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

5. Without objection, Commissioner Moore amended the agenda to add the following item to be heard at this time: Resolution R-07-1-111 - Consideration of a Resolution of the Commission of Knox County, Tennessee, approving the appointment of Billy Stokes to the Public Building Authority Board.

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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 BILLY STOKES TO THE PUBLIC BUILDING AUTHORITY BOARD – R-07-1-111:

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

Mr. Mike Ragsdale, Knox County Mayor, and Mr. Billy Stokes, were present and spoke on the matter.

Commissioner Mills moved to approve Resolution R-07-1-111 Resolution of the Commission of Knox County, Tennessee, approving the appointment of Billy Stokes to the Public Building Authority Board. Commissioner Ivan Harmon seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Mark Harmon, Tindell, Norman, Ivan Harmon, Guthe, Schmid, Hammond, Leuthold, Griess, Cawood, Lambert, Smith, Moore, Ballard, Mills, Clark and Pinkston voted aye. The motion carried 19-0-0-0.

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IN RE: RESOLUTIONS:

IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, APPROVING A LEASE AGREEMENT WITH THE UNIVERSITY OF TENNESSEE AND FOR SPACE LOCATED AT KNOX COUNTY'S BURLINGTON LIBRARY – R-07-1-803:

Consideration of a Resolution of the Commission of Knox County, Tennessee, approving a lease agreement with the University of Tennessee and for space located at Knox County's Burlington Library was before the Board of Commissioners.

Commissioner Tindell moved to approve Resolution R-07-1-803 - Resolution of the Commission of Knox County, Tennessee, approving a lease agreement with the University of Tennessee and for space located at Knox County's Burlington Library. Commissioner Mills seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Tindell, Norman, Ivan Harmon, Guthe, Schmid, Hammond, Leuthold, Griess, Cawood, Lambert, Smith, Moore, Ballard, Mills, Clark and Pinkston voted aye. Commissioner Mark Harmon abstained from voting. The motion carried 18-0-1-0.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, REQUESTING THAT THE PUBLIC BUILDING AUTHORITY REOPEN THE CITY

COUNTY BUILDING PARKING GARAGE FOR USE BY THE PUBLIC
R-07-1-905:

Consideration of a Resolution of the Commission of Knox County, Tennessee, requesting that the Public Building Authority reopen the City County Building Parking Garage for use by the public was before the Board of Commissioners.

Mr. Mike Ragsdale, Knox County Mayor, and Mr. Bob Roundtree, Director of Property Management for Public Building Authority, were present and spoke on the matter.

Commissioner Tindell moved to approve Resolution R-07-1-905 - Resolution of the Commission of Knox County, Tennessee, requesting that the Public Building Authority reopen the City County Building Parking Garage for use by the public with the following amendment: Add the following language to the resolution: "The Knox County Commission hereby requests that the Public Building Authority reopen the L-3 open-air deck of the City-County Building parking garage for use by the public, in full accord with Option E, attached hereto and incorporated by reference, as follows:

- (1) Free public parking on L-3 deck for approximately 55 vehicles with 10 handicapped spaces and 45 normal spaces; and
- (2) Open Northernmost entrance off Hill Avenue and Southernmost exit onto Hill Avenue to the public from 6-11 p.m. weeknights and all weekend until 10 p.m. Sunday; and
- (3) A system of bollard/gates will be used to prevent public entry into the main garage during the open periods; and
- (4) One elevator will be provided at the West end of the building that will go between L3 level and L5 level (access to Vol Landing bridge) only; and
- (5) Add card readers to one elevator on West end for employee access; and
- (6) Add card readers to L2 doors leading into building."

Commissioner Mills seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Mark Harmon, Tindell, Norman, Ivan Harmon, Guthe, Schmid, Hammond, Leuthold, Griess, Cawood, Lambert, Smith, Moore, Ballard, Mills, Clark and Pinkston voted aye. The motion carried 19-0-0-0.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE
COMMISSION OF KNOX COUNTY, TENNESSEE, CALLING FOR A
SPECIAL ELECTION TO REPLACE THE EIGHT COMMISSIONERS

AND FOUR COUNTYWIDE ELECTED OFFICIALS AFFECTED BY THE SUPREME COURT RULING - R-07-1-907:

Consideration of a Resolution of the Commission of Knox County, Tennessee, calling for a Special Election to replace the eight Commissioners and four Countywide Elected Officials affected by the Supreme Court Ruling was before the Board of Commissioners.

Mr. John Owings, Knox County Law Director, Mr. Greg Mackay, Administrator of Elections for Knox County, Ms. Rubye Wright and Mr. Mac Simpson, concerned citizens, were present and spoke on the matter.

Commissioner Griess moved to approve Resolution R-07-1-907 Resolution of the Commission of Knox County, Tennessee, calling for a Special Election to replace the eight Commissioners and four Countywide Elected Officials affected by the Supreme Court Ruling with the following amendment: Request the State Legislature to assist with the Special Election and that it be a single election/winner take all regardless of what percent the top vote getter receives in each category. Commissioner Guthe seconded the motion.

Commissioner Lambert called for the question to end debate at this time and vote on Resolution R-07-1-907. Upon voice vote the motion failed.

Upon roll call vote of the original motion to approve Resolution R-07-1-907 - Resolution of the Commission of Knox County, Tennessee, calling for a Special Election to replace the eight Commissioners and four Countywide Elected Officials affected by the Supreme Court Ruling with the following amendment: Request the State Legislature to assist with the Special Election and that it be a single election/winner take all regardless of what percent the top vote getter receives in each category, Commissioners Mark Harmon, Guthe, Hammond, Griess and Smith voted aye. Commissioners Jordan, Strickland, Tindell, Norman, Ivan Harmon, Schmid, Leuthold, Cawood, Lambert, Moore, Ballard, Mills, Clark and Pinkston voted no. The motion failed 5-14-0-0.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, APPROVING A SPECIAL PROCEDURE BY WHICH TO REPLACE THE EIGHT COMMISSIONERS AND FOUR COUNTYWIDE ELECTED OFFICIALS AFFECTED BY THE SUPREME COURT RULING - R-07-1-906:

Consideration of a Resolution of the Commission of Knox County, Tennessee, approving a special procedure by which to replace the eight Commissioners and four Countywide Elected Officials affected by the Supreme Court Ruling 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-07-1-906 - Resolution of the Commission of Knox County, Tennessee, approving a special procedure by which to replace the eight Commissioners and four Countywide Elected Officials affected by the Supreme Court Ruling. Commissioner Schmid seconded the motion.

Commissioner Schmid moved as a substitute motion to (1) Direct the Commission Office to post a notice on the website that eight Commission and four Countywide Elected Official positions will be vacant, and for all interested parties wishing to seek the positions notify the office of their interest by verbal or written notification; (2) Set a deadline for request for interest for February 5, 2007 and that the Commission Office notify the commissioners of individuals interested in the four Countywide positions; and request the Commission Chairman to set a time for public hearings for those seeking the four Countywide positions (each district commissioner may decide if they wish to have public hearings within their district for the eight Commission positions); and (3) Request the Commission Chairman to call a special session commission meeting after all public hearings, but prior to the February 2007 Regular Session Commission meeting, and that the appointments be made at the February 2007 Regular Session Commission meeting. Also included in the motion was to incorporate the provisions in the Knox County Charter regarding making the appointments.

Commissioner Hammond seconded the motion and upon roll call vote Commissioners Mark Harmon, Schmid, Griess and Smith voted aye.

Commissioners Jordan, Strickland, Tindell, Norman, Ivan Harmon, Guthe, Hammond, Leuthold, Cawood, Lambert, Moore, Ballard, Mills, Clark and Pinkston voted no. The substitute motion failed 4-15-0-0.

Upon roll call vote of the original motion to approve Resolution R-07-1-906 - Resolution of the Commission of Knox County, Tennessee, approving a special procedure by which to replace the eight Commissioners and four Countywide Elected Officials affected by the Supreme Court Ruling, Commissioners Mark Harmon and Schmid voted aye.

Commissioners Jordan, Strickland, Tindell, Norman, Ivan Harmon, Guthe, Hammond, Leuthold, Griess, Cawood, Lambert, Smith, Moore, Ballard, Mills, Clark and Pinkston voted no. The motion failed 2-17-0-0.

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

6. At this time, there was discussion concerning the Knox County Commission’s committees.

Commissioner Pinkston moved to suspend the rules to allow the Commission Chairman a one-time responsibility of realigning the Knox County Commission’s committees after the new commissioners take office. Commissioner Lambert seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Tindell, Norman, Ivan Harmon, Hammond, Leuthold, Cawood, Lambert, Smith, Moore, Ballard, Mills, Clark and Pinkston voted aye. Commissioners Mark Harmon, Guthe, Schmid and Griess voted no. The motion carried 15-4-0-0.

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IN RE: PUBLIC FORUM:

1. Mr. Charles Giles, concerned citizen, was present and spoke concerning the Supreme Court Ruling in *Jordan, et al., v. Knox County, Tennessee, et al.*

* * * * *

IN RE: ZONING REQUESTS:

1. Consideration of the request of William Vaughn for North Sector Plan Amendment from LDR Low Density Residential Zone to C Commercial Zone was before the Board of Commissioners. Property located on the northwest side of Cunningham Road, northeast side of Dry Gap Pike. Seventh Commission District.

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

Commissioner Smith moved to approve zoning request 12-A-06-SP - Request of William Vaughn for North Sector Plan Amendment from LDR Low Density Residential Zone to C Commercial Zone as per MPC’s recommendation. Commissioner Moore seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Mark Harmon, Tindell, Norman, Ivan Harmon, Guthe, Schmid, Hammond, Leuthold, Griess, Cawood, Lambert, Smith, Moore, Ballard, Mills, Clark and Pinkston voted aye. The motion carried 19-0-0-0. Property located on the northwest side of Cunningham Road, northeast side of Dry Gap Pike. Seventh Commission District.

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2. Consideration of the request of William Vaughn for rezoning from A Agricultural Zone to CA General Business Zone was before the Board of Commissioners. Property located on the northwest side

of Cunningham Road, northeast side of Dry Gap Pike. Seventh Commission District.

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

Commissioner Smith moved to approve zoning request 12-A-06-RZ – Request of William Vaughn for rezoning from A Agricultural Zone to CA General Business Zone as per MPC’s recommendation.

Commissioner Moore seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Mark Harmon, Tindell, Norman, Ivan Harmon, Guthe, Schmid, Hammond, Leuthold, Griess, Cawood, Lambert, Smith, Moore, Ballard, Mills, Clark and Pinkston voted aye. The motion carried 19-0-0-0. Property located on the northwest side of Cunningham Road, northeast side of Dry Gap Pike. Seventh Commission District.

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3. Consideration of the request of Lowell and Judy Thomas for rezoning from A Agricultural Zone to RA Low Density Residential Zone was before the Board of Commissioners. Property located on the northwest side of Emory Road, northeast of Howard Bennett Way. Sixth Commission District.

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

Commissioner Lambert moved to approve zoning request 12-C-06-RZ – Request of Lowell and Judy Thomas for rezoning from A Agricultural Zone to RA Low Density Residential Zone as per MPC’s recommendation. Commissioner Moore seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Mark Harmon, Tindell, Norman, Ivan Harmon, Guthe, Schmid, Hammond, Leuthold, Griess, Cawood, Lambert, Smith, Moore, Ballard, Mills, Clark and Pinkston voted aye. The motion carried 19-0-0-0. Property located on the northwest side of Emory Road, northeast of Howard Bennett Way. Sixth Commission District.

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4. Consideration of the request of Don Duncan for rezoning from A Agricultural Zone to PR Planned Residential Zone was before the Board of Commissioners. Property located on the north side of Choto Road, southeast of South Northshore Drive. Fifth Commission District.

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

Commissioner Griess moved to approve zoning request

12-H-06-RZ – Request of Don Duncan 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 Leuthold seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Mark Harmon, Tindell, Norman, Ivan Harmon, Guthe, Schmid, Hammond, Leuthold, Griess, Cawood, Lambert, Smith, Moore, Ballard, Mills, Clark and Pinkston voted aye. The motion carried 19-0-0-0. Property located on the north side of Choto Road, southeast of South Northshore Drive. Fifth Commission District.

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5. Consideration of the request of Victor Jernigan for rezoning from A Agricultural Zone to Planned Residential Zone was before the Board of Commissioners. Property located on the southeast side of Babelay Road, southwest of Harris Road. Eighth Commission District.

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

Commissioner Mills moved to approve zoning request 12-L-06-RZ – Request of Victor Jernigan for rezoning from A Agricultural Zone to Planned Residential Zone at a density of up to 3 dwelling units per acre as per MPC’s recommendation. Commissioner Pinkston seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Tindell, Norman, Ivan Harmon, Guthe, Schmid, Hammond, Leuthold, Griess, Cawood, Lambert, Smith, Moore, Ballard, Mills, Clark and Pinkston voted aye. Commissioner Mark Harmon voted no. The motion carried 18-1-0-0. Property located on the southeast side of Babelay Road, southwest of Harris Road. Eighth Commission District.

Additional information was provided for this request later in the day’s meeting. See Page _____)

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6. Consideration 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 east side of Thompson School Road, east of Wheatmeadow Road. Seventh Commission District.

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

Commissioner Smith moved to approve zoning request 12-O-06-RZ – Request of Michael C. Rhodes for rezoning from A Agricultural Zone to PR Planned Residential Zone up to 4 dwelling units per acre as per MPC’s recommendation. Commissioner Moore seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Tindell,

Norman, Ivan Harmon, Guthe, Schmid, Hammond, Leuthold, Griess, Cawood, Lambert, Smith, Moore, Ballard, Mills, Clark and Pinkston voted aye. Commissioner Mark Harmon voted no. The motion carried 18-1-0-0. Property located on the southeast side of Babelay Road, southwest of Harris Road. Eighth Commission District.

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7. Consideration the request of NADC for Northeast 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 northwest side of Washington Pike, southwest of Maloneyville Road. Eighth Commission District.

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

Mr. Robert Campbell, representing NADC, 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 Mills moved to deny zoning request 12-B-06-SP - Request of NADC for Northeast County Sector Plan Amendment from A/RR Agricultural/Rural Residential Zone to LDR Low Density Residential Zone as per MPC’s recommendation. Commissioner Ballard seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Mark Harmon, Tindell, Norman, Ivan Harmon, Guthe, Schmid, Hammond, Leuthold, Griess, Cawood, Lambert, Smith, Moore, Ballard, Mills, Clark and Pinkston voted aye. The motion carried 19-0-0-0. Property located on the northwest side of Washington Pike, southwest of Maloneyville Road. Eighth Commission District.

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8. Consideration of the request of NADC for rezoning from A Agricultural Zone to PR Planned Residential Zone was before the Board of Commissioners. Property located on the northwest side of Washington Pike, southwest of Maloneyville Road. Eighth Commission District.

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

Mr. Robert Campbell, representing NADC, 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 Mills moved to approve zoning 12-P-06-RZ – Request of NADC for rezoning from A Agricultural Zone to PR Planned

Residential Zone at a density up to 2 dwelling units per acre as per MPC's recommendation. Commissioner Ballard seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Mark Harmon, Tindell, Norman, Ivan Harmon, Guthe, Schmid, Hammond, Leuthold, Griess, Cawood, Lambert, Smith, Moore, Ballard, Mills, Clark and Pinkston voted aye. The motion carried 19-0-0-0. Property located on the northwest side of Washington Pike, southwest of Maloneyville Road. Eighth Commission District.

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9. Consideration of the request of Rob Sanders for rezoning from A Agricultural Zone to PR Planned Residential Zone was before the Board of Commissioners. Property located on the northeast side of Bishop Road, southeast of Valerie Lane. Seventh Commission District.

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

Commissioner Smith moved to approve zoning request 12-S-06-RZ – Request of Rob Sanders for rezoning from A Agricultural Zone to PR Planned Residential Zone at a density up to 6 dwelling units per acre as per MPC's recommendation. Commissioner Moore seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Mark Harmon, Tindell, Norman, Ivan Harmon, Guthe, Schmid, Hammond, Leuthold, Griess, Cawood, Lambert, Smith, Moore, Ballard, Mills, Clark and Pinkston voted aye. The motion carried 19-0-0-0. Property located on the northeast side of Bishop Road, southeast of Valerie Lane. Seventh Commission District.

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10. Consideration of the request of Eagle Bend Realty for rezoning from A Agricultural Zone to PR Planned Residential Zone was before the Board of Commissioners. Property located on the west side of Bob Kirby Road, northwest of Cortez Drive. Fifth Commission District.

Mr. Lee Dunlap, representing Eagle Bend Realty, was present and spoke on behalf of the request.

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 Griess moved to approve zoning request 12-T-06-RZ – Request of Eagle Bend Realty for rezoning from A Agricultural Zone to PR Planned Residential Zone at a density of 4.5 dwelling units per acre as per MPC's recommendation. Commissioner

Hammond seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Mark Harmon, Tindell, Norman, Ivan Harmon, Guthe, Schmid, Hammond, Griess, Cawood, Lambert, Smith, Moore, Ballard, Mills, Clark and Pinkston voted aye. Commissioner Leuthold voted no. The motion carried 18-1-0-0. Property located on the west side of Bob Kirby Road, northwest of Cortez Drive. Fifth Commission District.

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11. Consideration of the request of John Spina for rezoning from CA General Business Zone conditioned to SC Shopping Center Zone uses to CA General Business Zone was before the Board of Commissioners. Property located on the northeast side of Andersonville Pike, northwest side of East Emory Road. Seventh Commission District.

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

Mr. Joe Levitt, representing John Spina, 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 Smith moved to approve zoning request 12-X-06-RZ - Request of John Spina for rezoning from CA General Business Zone conditioned to SC Shopping Center Zone uses to CA General Business Zone conditioned to SC Shopping Center Zone uses and/or self service storage facilities as per MPC's recommendation. Commissioner Ivan Harmon seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Mark Harmon, Tindell, Norman, Ivan Harmon, Guthe, Schmid, Hammond, Leuthold, Griess, Cawood, Lambert, Smith, Moore, Ballard, Mills, Clark and Pinkston voted aye. The motion carried 19-0-0-0. Property located on the northeast side of Andersonville Pike, northwest side of East Emory Road. Seventh Commission District.

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12. Consideration of the request of G & R Snyder Development LTD, LLP for rezoning from A Agricultural Zone to PR Planned Residential Zone was before the Board of Commissioners. Property located on the northeast side of Harvey Road, northeast of Choto Road. Fifth Commission District.

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

Commissioner Leuthold moved to approve zoning request 11-L-06-RZ – Request of G & R Snyder Development LTD, LLP for rezoning from A Agricultural Zone to PR Planned Residential Zone at a density up to 2 dwelling units per acre as per MPC's recommendation.

Commissioner Griess seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Mark Harmon, Tindell, Norman, Ivan Harmon, Guthe, Schmid, Hammond, Leuthold, Griess, Cawood, Lambert, Smith, Moore, Ballard, Mills, Clark and Pinkston voted aye. The motion carried 19-0-0-0. Property located on the northeast side of Harvey Road, northeast of Choto Road. Fifth Commission District.

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13. Consideration of the request of Steve McMahan for rezoning from I Industrial Zone to A Agricultural Zone was before the Board of Commissioners. Property located on the west side of Bell Road, southwest of Brackett Road. Seventh Commission District.

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

Commissioner Smith moved to approve zoning request 11-N-06-RZ – Request of Steve McMahan for rezoning from I Industrial Zone to A Agricultural Zone as per MPC’s recommendation. Commissioner Cawood seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Mark Harmon, Tindell, Norman, Ivan Harmon, Guthe, Schmid, Hammond, Leuthold, Griess, Cawood, Lambert, Smith, Moore, Ballard, Mills, Clark and Pinkston voted aye. The motion carried 19-0-0-0. Property located on the west side of Bell Road, southwest of Brackett Road. Seventh Commission District.

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IN RE: ZONING APPEALS:

1. Consideration of the appeal by Eric Moseley/Scott Smith, owner, of TTCDA denial of certificate of appropriateness for building permit was before the Board of Commissioners. Property located on the northwest side of Lexington Drive, northeast of Dutchtown Road. Sixth Commission District.

Mr. Arthur Seymour, Attorney, representing Eric Moseley/Scott Smith, owner, was present and spoke on behalf of the appeal.

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 uphold zoning appeal 06.046.0 - Appeal by Eric Moseley/Scott Smith, owner, and to approve the certificate of appropriateness for building permit. Commissioner Cawood seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Tindell, Norman, Ivan Harmon, Guthe, Schmid, Hammond,

Griess, Cawood, Lambert, Smith, Moore, Ballard, Mills, Clark and Pinkston voted aye. Commissioners Mark Harmon and Leuthold voted no. The motion carried 17-2-0-0. Property located on the northwest side of Lexington Drive, northeast of Dutchtown Road. Sixth Commission District.

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2. 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.

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

Commissioner Leuthold moved to defer to the February 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. Commissioner Griess seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Mark Harmon, Tindell, Norman, Ivan Harmon, Guthe, Schmid, Hammond, Leuthold, Griess, Cawood, Lambert, Smith, Moore, Ballard, Mills, Clark and Pinkston voted aye. The motion carried 19-0-0-0. Property located on the south side of Hardin Valley Road, east side of Thompson Road. Sixth Commission District.

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3. 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.

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

Commissioner Leuthold moved to defer to the February 2007 Board of Commissioners meeting 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. Commissioner Griess seconded the motion and upon roll call vote Commissioners Jordan, Strickland, Mark Harmon, Tindell, Norman, Ivan Harmon, Guthe, Schmid, Hammond, Leuthold, Griess, Cawood, Lambert, Smith, Moore, Ballard, Mills, Clark and Pinkston voted aye. The motion carried 19-0-0-0. Property

located on the south side of Hardin Valley Road, east side of Thompson Road. Sixth Commission District.

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

7. At this time, there was discussion concerning zoning request 12-L-06-RZ – Request of Victor Jernigan for rezoning from A Agricultural Zone to Planned Residential Zone, property located on the southeast side of Babelay Road, southwest of Harris Road, Eighth Commission District.

Mr. Victor Jernigan, petitioner, indicated he had made an agreement with the Northeast Preservation Homeowners Association that there will be no construction on the 11 acre site in 2007; there will be no building done on the steep slopes of the property; and there will be no apartments built on the property nor sold to anyone who would build apartments on the property.

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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

SCOTT MOORE, CHAIRMAN