



Knoxville Utilities Board

**Board Meeting Agenda
Thursday, November 16, 2017
Noon**

Call to Order

Roll Call

Approval of Minutes

Official Action

Resolution 1371 – Authorizing the Transfer of Property of the Wastewater Division Located on Pelham Road to an Adjacent Property Owner

Resolution 1372 – Authorizing the Condemnation and the Taking of Utility Easements as may be Necessary in Support of the Tennessee Department of Transportation's (TDOT's) Chapman Highway Improvements Project

President's Report

Public Comments

Adjournment



Knoxville Utilities Board

November 10, 2017

Knoxville Utilities Board
445 S. Gay Street
Knoxville, Tennessee 37902-1109

Commissioners:

KUB's Wastewater Division owns approximately 273 square feet of land on Pelham Road, which is the site of one of KUB's older wastewater pump stations. During the planning stage for Century II capital improvements at that station, we realized that an upgraded pump station would not fit on that site. Therefore, a nearby location was sought for a new pump station.

The adjacent property owner is interested in acquiring the existing pump station site to facilitate future development. In exchange, he is willing to provide an easement on another of his nearby properties to build the new pump station.

State law and the bond resolutions of the Wastewater Division authorize the disposition of any real property of the wastewater system which the Board has determined to be no longer useful and necessary for the operation of the system. After consultation with Staff, I have determined that the 273 square feet site of the existing pump station will not be useful or necessary for the continued operation of the wastewater system and is not needed by any other KUB system, once the new pump station is built.

Through Resolution 1371, which is attached for your information, the Board will approve the transfer KUB's Pelham Road wastewater pump station property to the adjacent property owner, once the new pump station is complete. I recommend adoption of Resolution 1371.

Respectfully submitted,

A handwritten signature in cursive script that reads "Mintha E. Roach".

Mintha E. Roach
President and CEO

RESOLUTION NO. 1371

A Resolution Authorizing the Transfer of Property of the Wastewater Division Located on Pelham Road to an Adjacent Property Owner

Whereas, By deed dated October 27, 1970, of record in Deed Book 1440, Page 546, Instrument Number 197010300010479, the City of Knoxville, Tennessee (“City”) obtained fee simple ownership to certain real estate, located on Pelham Road, Knoxville, Tennessee, consisting of approximately 272.54 square feet of land and various appurtenances (the “Property”), where KUB’s Pelham Road wastewater pump station is located; and

Whereas, by public referendum in 1986, the Wastewater Control System of the City of Knoxville, including the assets for management and operation of the system, were transferred by the City to KUB and since acquiring the wastewater system from the City, KUB has operated and maintained the Pelham Road Pump Station; and

Whereas, KUB now seeks to replace the Pelham Road Pump Station with a larger capacity pumping station on a nearby site that is more suitable for KUB’s current and future needs, and

Whereas, the adjacent property owner, Tennessee Land Investment Properties, Inc., (TLIP) seeks to acquire from KUB the Property, approximately 272.54 square feet in size, and which is surrounded by other property owned by TLIP; and

Whereas, the Property, given its size and location, has no marketable value except to TLIP; and

Whereas, KUB, pursuant to Article XI, section 1106(D) and (T) of the Charter of the City of Knoxville and KUB’s Procurement Procedures, has the authority, subject to the applicable provisions of any bonds or contracts, to transfer title of surplus real property or any right or interest in such property in connection with the operation of its wastewater system; and

Whereas, pursuant to Section VII of KUB’s Procurement Procedures, the President and CEO or her designee may dispose of the Property in a manner that is in the best interest of KUB; and

Whereas, the Property is not useful and necessary for the continued operation of the wastewater system substantially as it will exist after the pumping station is rebuilt at another site, and has no potential use by any other KUB system; and

Whereas, pursuant to Section VII of the KUB Procurement Procedures the President and CEO has determined that the Property is not needed by the wastewater system or any other KUB system; and

Whereas, the bond resolutions for the KUB Wastewater Division authorize the disposal of property of the wastewater system which the KUB Board of Commissioners (the "Board") determines to be no longer necessary and useful in the operation thereof.

Now, Therefore, Be It Hereby Resolved by the Board of Commissioners of the Knoxville Utilities Board:

Section 1. That the Property is not useful and necessary to the continued safe, efficient and economic operation of the KUB wastewater system, nor is it needed for the operation of any other KUB system.

Section 2. That it is in the best interest of KUB and the Wastewater Division to transfer the Property to TLIP.

Section 3. That the President and Chief Executive Officer or her authorized designee be, and hereby is, authorized and directed to transfer the Property in a manner consistent with KUB's Procurement Procedures and state law, to execute a deed for the transfer of the Property and to do all things that the President and CEO or her designee deems reasonable and necessary to effectuate such transfer.

Section 4. That this Resolution shall take effect upon its passage.

Celeste Herbert, Chair

Mark Walker, Board Secretary

APPROVED ON 1st
& FINAL READING: _____
EFFECTIVE DATE: _____
MINUTE BOOK ____ PAGE _____

**Knoxville Utilities Board
Board Meeting
Minutes
Thursday, October 19, 2017, Noon**

Call to Order

The Knoxville Utilities Board met in regular session in the Larry A. Fleming Board Room at 445 S. Gay Street, on Thursday, October 19, 2017, pursuant to the public notice published in the January 7, 2017, edition of the *News Sentinel*. Chair Herbert called the meeting to order at 12:00 p.m.

Roll Call

Commissioners Present: Jerry Askew, Kathy Hamilton, Celeste Herbert, Sara Pinnell, Tyvi Small, Nikitia Thompson, and John Worden

Commissioners Absent: None

Approval of Minutes

The Minutes of the September 21, 2017, Board Meeting were approved as distributed upon a motion by Commissioner Small and seconded by Commissioner Thompson.

Old Business

None

New Business

Consideration of Nominees for Commissioner Term Beginning January 1, 2018

Commissioner Thompson, Chair of the Nominating Committee, gave the following report:

This year's nominating process for the term beginning January 1, 2018 began in January of this year when the online application became available on KUB's website. The Committee met in August, and advertisements ran in the *News Sentinel* that month.

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She advised the Board that she is in her second term and therefore ineligible to serve again.

The committee discussed submitted applications and identified qualified applicants to interview. The Charter requires that the Board provide the Mayor at least five nominees for each Commissioner vacancy. The Nominating Committee submitted the following five nominees:

1. Wade Davies
2. Ford Little
3. Robert Sherrod
4. Adrienne Simpson-Brown
5. Petrcy (Petie) Wilson

Chair Herbert recognized Mark Walker, Board Secretary, who distributed and collected the ballots. Mr. Walker then reported that each of the following nominees received a majority of the votes:

1. Wade Davies
2. Ford Little
3. Robert Sherrod
4. Adrienne Simpson-Brown
5. Petrcy (Petie) Wilson

Chair Herbert stated the names of the five nominees would be submitted to Mayor Rogero, and she thanked the members of the Nominating Committee for their work.

President's Report

Gas System Pilot Growth Initiative

President Roach reminded Commissioners that John Williams, Manager and Assistant to the Chief Financial Officer, presented an update at the September Board Meeting on KUB's New Service department and how it supports land development in our community. But in addition to supporting the external development needs, the Board has asked staff to find ways where KUB can promote the growth of its customers. Ms. Roach recognized Mr. Williams to share the details of two new natural gas growth initiatives.

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KUB's Regulatory Role

President Roach advised Commissioners, that as a public utility, KUB must comply with the requirements of a number of federal and state regulatory agencies such as the EPA and TDEC. In order for KUB to meet all of their requirements, sometimes KUB itself must take on the role of a regulator towards its residential, commercial and industrial customers because KUB is required by law to protect the drinking water system, as well as the wastewater collection system and plants. She recognized Eddie Black, Senior Vice President, to discuss some of the details of KUB's regulatory role and how KUB balances that role with other core values such as "improving the customer experience" and "partnering for economic development".

Other Business

None

Adjournment

There being nothing further to come before the Board, Chair Herbert declared the meeting adjourned at 12:55 p.m.

Celeste Herbert, Chair

Mark Walker, Board Secretary

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