

CALL TO ORDER

PRESENTATIONS

David Conner – Senior Tax Freeze
Ronnie Boyd – Property Tax Assessment

ZONING CASES SUBMITTED WITHOUT RECOMMENDATION

CZ-14-2007: Application of Jeffrey Melton from AG to E-1.

CZ-15-2007: Application of Deborah E. Martin from R-1 to C-2.

RESOLUTIONS:

- 07-11-1:** Resolution Establishing a “Victim’s Assistance Assessment” to Fund Programs which Assist Victims of Crime.
- 07-11-2:** Resolution of Intent to Support Funding for Commerce Park (TVA Certified Mega Site).
- 07-11-3:** Resolution of the Montgomery County Board of Commissioners to Appropriate Funds for Training, Equipment and Supplies for the Sheriff’s Office.
- 07-11-4:** Resolution of the Montgomery County Board of Commissioners to Provide Safety and Security for Certain Functions at the Montgomery County Courthouse. (20 hours per month)
- 07-11-5:** Resolution of the Montgomery County Board of Commissioners to Provide Safety and Security for Certain Functions at the Montgomery County Courthouse. (Full time)
- 07-11-6:** Resolution of the Montgomery County Board of Commissioners to Provide for Montgomery County On-Site Medical Clinic.
- 07-11-7:** Resolution of the Montgomery County Board of Commissioners to Appropriate Funds for the Construction of a Combined Fire Station and EMS Station.

REPORTS

1. Ruth Milliken – Nominating Committee Nominations
2. Mayor Bowers – County Mayor Nominations

REPORTS FILED

1. TDOT Project Status Report
2. Official Statutory Bonds for Betty Burchett (needs approval from Commission)
3. Court Safety Program: Adult Driver Improvement Program, Juvenile Court and Alive at 25 Defensive Driving Course Revenue and Attendees for July – September, 2007
4. Highway Department's Quarterly Report (July, August and September, 2007)

CITIZENS TO ADDRESS THE COMMISSION

ANNOUNCEMENTS

1. You should have received an invitation regarding the 2007 Annual Prayer Breakfast to be held on Thursday, November 8 at 7:00 a.m. at the Cumberland Presbyterian Church, 1410 Golf Club Lane. If you have not RSVP'd, but plan to attend, please let Debbie Gentry know.

ADJOURN

**RESOLUTION OF THE MONTGOMERY COUNTY BOARD OF COMMISSIONERS
AMENDING THE ZONE CLASSIFICATION OF THE PROPERTY OF
JEFFREY MELTON**

WHEREAS, an application for a zone change from AG Agricultural District to E-1 Single Family Estate District has been submitted by Jeffrey Melton and

WHEREAS, said property is identified as County Tax Map 088, parcel 146.00 (portion), containing 1.00 acres, situated in Civil District 13, located 3385 feet +/- southwest of the intersection of Hickory Point Rd and Gholson Rd on the east side of Gholson Rd.; and

WHEREAS, said property is described as follows:

Beginning at a new iron pin in the east margin of Gholson Road, said iron pin being south 0.64 miles from Hickory Point Road, iron pin also being south 1,171 feet +/- from the northwest corner of the parent tract; thence leaving the margin of Gholson Road South 83 degrees 09 minutes 29 seconds east 231.17 feet +/- to a iron pin; thence south 06 degrees 52 minutes 00 seconds west 82.08 +/- feet to iron pin; thence south 44 degrees 52 minutes 08 seconds west 89.09 feet +/- to a iron pin thence south 17 degrees 05 minutes 03 seconds west 180.10 feet +/- to a iron pin in the east margin of Gholson Road; thence with said road on a curve turning to the right with an arc length of 225.61 feet +/- with a radius of 4219.00 feet +/- with a chord bearing of North 08 degrees 33 minutes 45 seconds east with a chord length of 225.58 feet +/- to a point of beginning. Containing 1.0 acre +/- Map 88 Parcel 149 (p).

WHEREAS, the Planning Commission staff recommends APPROVAL and the Regional Planning Commission recommends APPROVAL of said application.

NOW, THEREFORE, BE IT RESOLVED by the Montgomery County Board of Couny Commissioners assembled in regular session on this 13th day of November, 2007, that the zone classification of the property of Jeffrey Melton from AG to E-1 is hereby approved.

Duly passed and approved this 13th day of November, 2007.

Sponsor _____
Commissioner _____
Approved _____

Attested: _____
County Clerk

County Mayor

**RESOLUTION OF THE MONTGOMERY COUNTY BOARD OF COMMISSIONERS
AMENDING THE ZONE CLASSIFICATION OF THE PROPERTY OF
DEBORAH E. MARTIN**

WHEREAS, an application for a zone change from R-1 Single Family Residential District to C-2 General Commercial District has been submitted by Deborah E. Martin and

WHEREAS, said property is identified as County Tax Map 039, parcel 016.03, containing 0.5 acres, situated in Civil District 13, located 1184 feet +/- northeast of the intersection of Dunlop Road and Rollow Lane on the east side of Dunlop Road; and

WHEREAS, said property is described as follows:

Beginning at an iron pin in the eastern right of way of Dunlop Lane, which iron pin is 1195.0 feet +/- north of the centerline of Rollow Lane; thence running along Dunlop Lane as aforesaid, north 5 degrees 10 minutes 00 minutes east 81.00 feet +/- to an iron pin; thence leaving the eastern right of way of said Dunlop Lane and running North 89 degrees 57 minutes 40 seconds east 210 feet +/- to an iron pin; thence south 01 degree 16 minutes 10 seconds east 108.00 feet +/- to an iron pin; thence north 82 degrees 57 minutes 10 seconds west 221.36 feet +/- to a point of beginning. Containing 0.5 acres. Map 39 parcel 016.03

WHEREAS, the Planning Commission staff recommends APPROVAL and the Regional Planning Commission recommends APPROVAL of said application.

NOW, THEREFORE, BE IT RESOLVED by the Montgomery County Board of County Commissioners assembled in regular session on this 13th day of November, 2007, that the zone classification of the property of Deborah E. Martin from R-1 to C-2 is hereby approved.

Duly passed and approved this 13th day of November, 2007.

Sponsor _____
Commissioner _____
Approved _____

Attested: _____
County Clerk

County Mayor

**RESOLUTION OF THE MONTGOMERY COUNTY BOARD OF COMMISSIONERS
AMENDING THE ZONE CLASSIFICATION OF THE PROPERTY OF
JEFFREY MELTON**

WHEREAS, an application for a zone change from AG Agricultural District to E-1 Single Family Estate District has been submitted by Jeffrey Melton and

WHEREAS, said property is identified as County Tax Map 088, parcel 146.00 (portion), containing 1.00 acres, situated in Civil District 13, located 3385 feet +/- southwest of the intersection of Hickory Point Rd and Gholson Rd on the east side of Gholson Rd.; and

WHEREAS, said property is described as follows:

Beginning at a new iron pin in the east margin of Gholson Road, said iron pin being south 0.64 miles from Hickory Point Road, iron pin also being south 1,171 feet +/- from the northwest corner of the parent tract; thence leaving the margin of Gholson Road South 83 degrees 09 minutes 29 seconds east 231.17 feet +/- to a iron pin; thence south 06 degrees 52 minutes 00 seconds west 82.08 +/- feet to iron pin; thence south 44 degrees 52 minutes 08 seconds west 89.09 feet +/- to a iron pin thence south 17 degrees 05 minutes 03 seconds west 180.10 feet +/- to a iron pin in the east margin of Gholson Road; thence with said road on a curve turning to the right with an arc length of 225.61 feet +/- with a radius of 4219.00 feet +/- with a chord bearing of North 08 degrees 33 minutes 45 seconds east with a chord length of 225.58 feet +/- to a point of beginning. Containing 1.0 acre +/- Map 88 Parcel 146 (p).

WHEREAS, the Planning Commission staff recommends APPROVAL and the Regional Planning Commission recommends APPROVAL of said application.

NOW, THEREFORE, BE IT RESOLVED by the Montgomery County Board of Couny Commissioners assembled in regular session on this 13th day of November, 2007, that the zone classification of the property of Jeffrey Melton from AG to E-1 is hereby approved.

Duly passed and approved this 13th day of November, 2007.

Sponsor _____
Commissioner _____
Approved _____

Attested: _____
County Clerk

County Mayor

**RESOLUTION ESTABLISHING A
“VICTIM’S ASSISTANCE ASSESSMENT”
TO FUND PROGRAMS WHICH ASSIST VICTIMS OF CRIME**

WHEREAS, on May 12, 2006, Governor Phil Bredesen signed into law, Senate Bill No. 1764, which allows the county legislative body of any county the election to establish a program(s) to assist victims of crime, their families and survivors, or to provide funding or additional funding for an existing program(s) established to assist victims, and other similar programs designed to assist victims of crime, their families or survivors; and

WHEREAS, Tennessee Code Annotated §40-24-109 provides that if a county legislative body elects to establish or fund such programs, it shall, at the time of such election, designate the program(s) for which the assessment will be used; and

WHEREAS, the Montgomery County Legislative Body elects to establish and provide funding from the collection of the “Victim’s Assistance Assessment” pursuant to Tennessee Code Annotated §40-24-109(c) for the following designated programs:

- The Montgomery County Child Advocacy Center to help defray the costs of providing services to child victims of sexual assault and severe physical abuse, as designated by its program mission statement, guidelines and Board of Directors. The Center offers services such as forensic interviews, court preparation, victim’s advocacy and mental health treatment.
- The Clarksville Montgomery County Legal Aid Society to help defray the costs of existing programs such as, but not limited to, an attorney position who aids victims in need of obtaining Orders of Protection, or such other programs designated by its mission statement and guidelines which aid crime victims of domestic violence.
- To establish funding for an Assistant Victim Witness Coordinator position, which would aid the District Attorney’s Office in providing services to victims of crime whose cases are pending in the General Sessions and Juvenile Courts of Montgomery County. Funding for this position would be distributed through the Montgomery County Department of Accounts and Budgets and the contracted position would be reporting to the District Attorney General for Montgomery County.

WHEREAS, IT IS DIRECTED, pursuant to Tennessee Code Annotated §40-24-109(c), that the Clerks of all Montgomery County General Sessions, Circuit and Criminal Courts, Municipal Courts exercising General Sessions Court jurisdiction, and any other court exercising similar criminal jurisdiction, shall collect a “victims assistance assessment” in the sum of forty-five (\$45.00) dollars from any person who:

- (A) Enters a plea of guilty;
- (B) Is found guilty by a judge or jury;
- (C) Enters a plea of nolo contendere;
- (D) Enters a plea pursuant to any of the diversionary sentencing statutes to any criminal offense described in subsection (d);
- (E) Is found guilty, or enters a plea of guilty or nolo contendere to the offense of attempting or conspiring to commit any such offense; or
- (F) Is found to be criminally responsible as principal for the commission of any such offense.

(d) Except as provided in subsection (e), the provisions of subsection (c) shall apply to any conduct made criminal by the laws of this state.

(e) This section shall not apply to:

- (1) Crimes for which the law imposes as a maximum possible punishment a fine of less than five hundred dollars (\$500) and no imprisonment; and
- (2) Violations of the motor vehicle laws except driving under the influence of an intoxicant as prohibited by §55-10-401, or reckless driving as prohibited by §55-10-205, where the reckless driving was proximately caused by the use of an intoxicant.

(f) Whether a person convicted of a crime is exempted from payment of the assessment imposed by this section shall be determined by the offense for which such person was convicted and the maximum possible sentence authorized by law for such offense rather than the sentence such person actually receives.

(g)(1) The victims assistance assessment shall be subject to the provisions of §8-21-401 and shall be in addition to all other taxes, costs and fines. The first three dollars (\$3.00) of each such assessment shall be paid to the clerk of the court imposing the assessment for processing and handling. The remaining forty-two dollars (\$42.00) shall be transmitted to the county in which the offense occurred for the exclusive use of the victim’s assistance program previously designated by the county legislative body.

(2) Upon transmittal to the victims program in such county, all funds collected pursuant to this section shall be used to defray the costs of providing the services to victims of crime designated by the program’s mission statement and guidelines; and

WHEREAS, this resolution will take effect immediately upon its passage, pursuant to TCA §40-24-109.

NOW, THEREFORE, BE IT RESOLVED by the Montgomery County Board of Commissioners, meeting in regular session this 13th day of November, 2007, that the Court Clerk of Montgomery County be authorized and shall collect a “Victims Assistance Assessment” in the sum of forty-five dollars (\$45.00), and that the first three dollars (\$3.00) of each such assessment shall be paid to the clerk of the court imposing the assessment of processing and handling, and the remaining forty-two dollars \$42.00 dollars shall be distributed by the clerk at month end to the Montgomery County Department of Accounts and Budgets to be divided equally and in the amount of fourteen dollars (\$14.00) for the exclusive use of the three (3) victim assistance programs previously designated and set forth by this legislative body.

Duly passed and approved this 13th day of November, 2007.

Sponsor _____

Commissioner _____

Approved _____

County Mayor

Attested _____

County Clerk

**RESOLUTION OF INTENT TO SUPPORT
FUNDING FOR
COMMERCE PARK
(TVA CERTIFIED MEGA SITE)**

WHEREAS, the Montgomery County Industrial Development Board is an agency of Montgomery County Government, promoting industrial growth and development; and

WHEREAS, the Industrial Development Board owns, or holds options to purchase, certain land which, in the aggregate, comprises a total of 1,521 acres of land, 1,187 acres of which comprises the TVA Certified “Mega Site” known and identified as “Commerce Park,” located in the Northeast area of Montgomery County, near U.S. Highway 79; and

WHEREAS, the recent certification of Commerce Park, as a Mega Site by TVA, will have the potential for this site to attract a variety of major industrial, business and commercial enterprises, which will have the potential to create new jobs, to invest capital dollars and to increase the industrial/commercial tax base for Montgomery County; and

WHEREAS, the projected total cost for acquisition of the necessary land is estimated to be approximately \$20,000,000.00; and

WHEREAS, the Industrial Development Board and Montgomery County may be eligible for state and/or federal grants that can be applied to the cost of providing necessary infrastructure; and

WHEREAS, it is vital in today’s competitive industrial recruitment environment to have such property that will attract manufacturing and related commercial prospects; and

WHEREAS, the development of Commerce Park will be contingent upon receipt of a “Certificate of Public Purpose and Necessity” from the Building Finance Committee of the State Department of Economic and Community Development.

NOW, THEREFORE, BE IT RESOLVED by the Montgomery County Board of County Commissioners assembled in Regular Session on this 13th day of November, 2007, that this Commission favors the acquisition of said land for the establishment of Commerce Park and hereby expresses its intent to issue General Obligation Bonds and/or Capital Outlay Notes, not to exceed \$20,000,000.00, to fund the acquisition of land for said Park.

Duly passed and approved this 13th day of November, 2007.

Sponsor _____

Commissioner _____

Approved _____

County Mayor

Attest _____

County Clerk

**RESOLUTION OF THE MONTGOMERY COUNTY
BOARD OF COMMISSIONERS TO APPROPRIATE FUNDS FOR TRAINING,
EQUIPMENT AND SUPPLIES FOR THE SHERIFF’S OFFICE**

WHEREAS, additional personnel have been added to the Sheriff’s Office for various functions; and

WHEREAS, it is necessary to properly train and equip these personnel; and

WHEREAS, the Sheriff’s Office is desirous of updating not only training and equipment but also policy and procedures; and

WHEREAS, there are sufficient un-appropriated funds in the Drug Control Fund budget 122-54110-00000 to accomplish these goals in the following manner:

<u>Purpose</u>	<u>Object Code</u>	<u>Amount</u>
Tuition	53560	\$20,000.00
Printing	53490	\$ 5,000.00
Law Enf. Equipment	54310	\$20,500.00
Law Enf. Equipment	57160	\$10,000.00
Total		\$55,500.00

NOW, THEREFORE, BE IT RESOLVED by the Montgomery County Board of County Commissioners assembled in Regular Session on this 13th day of November, 2007, that \$55,500.00 of the un-appropriated fund balance of account 122-54110-00000 is hereby appropriated for the foregoing purposes.

Duly passed and approved this 13th day of November, 2007.

Sponsor _____

Commissioner _____

Approved _____

County Mayor

Attested _____

County Clerk

**RESOLUTION OF THE MONTGOMERY COUNTY BOARD OF COMMISSIONERS
TO PROVIDE SAFETY AND SECURITY FOR CERTAIN FUNCTIONS AT THE
MONTGOMERY COUNTY COURTHOUSE**

WHEREAS, it is the desire of the Montgomery County Board of Commissioners that the members and the public shall be safe and secure during public meetings and other such functions; and

WHEREAS, in order to provide for such safety and security it will be necessary to screen all persons entering the Courthouse; and

WHEREAS, this screening for weapons and other possible destructive devices will require properly trained and equipped law enforcement personnel from the Sheriff's Office; and

WHEREAS, the number of necessary personnel will be a minimum of three Deputy Sheriff's.

NOW, THEREFORE, BE IT RESOLVED by the Montgomery County Board of County Commissioners assembled in Regular Session on this 13th day of November, 2007, that the Sheriff's Office budget 101-54110-00000 be amended by adding \$19,585.35 for overtime and benefits to provide twenty hours per month of safety and security screening for meetings and other such activities and said funds shall be appropriated from the county general fund un-appropriated fund balance.

Duly passed and approved this 13th day of November, 2007.

Sponsor _____

Commissioner _____

Approved _____

County Mayor

Attested _____

County Clerk

**RESOLUTION OF THE MONTGOMERY COUNTY BOARD OF COMMISSIONERS
TO PROVIDE SAFETY AND SECURITY FOR CERTAIN FUNCTIONS
AT THE MONTGOMERY COUNTY COURTHOUSE**

WHEREAS, it is the desire of the Montgomery County Board of Commissioners that the members and the public shall be safe and secure during public meetings and other such functions; and

WHEREAS, in order to provide for such safety and security it will be necessary to screen all persons entering the Courthouse; and

WHEREAS, this screening for weapons and other possible destructive devices will require properly trained and equipped law enforcement personnel from the Sheriff's Office; and

WHEREAS, the number of necessary personnel will be a minimum of three Deputy Sheriff's.

NOW, THEREFORE, BE IT RESOLVED by the Montgomery County Board of County Commissioners assembled in Regular Session on this 13th day of November, 2007, that the Sheriff's Office budget 101-54110-00000 be amended by adding \$106,589.22 for salary, benefits and equipment to provide for full time safety and security screening for meetings and other such activities and said funds shall be appropriated from the county general fund un-appropriated fund balance.

Duly passed and approved this 13th day of November, 2007.

Sponsor _____

Commissioner _____

Approved _____

County Mayor

Attested _____
County Clerk

**RESOLUTION OF THE MONTGOMERY COUNTY
BOARD OF COMMISSIONERS TO PROVIDE FUNDING FOR MONTGOMERY
COUNTY ON-SITE MEDICAL CLINIC**

WHEREAS, it is the desire of the Montgomery County Board of Commissioners that the employees of Montgomery County have an on-site medical clinic at Veterans Plaza; and

WHEREAS, the Montgomery County Insurance Trust, the Clarksville-Montgomery County School System and Montgomery County Government will share in the cost of renovation, each paying one third of the renovation costs.

NOW, THEREFORE, BE IT RESOLVED by the Montgomery County Board of County Commissioners assembled in Regular Session on this 13th day of November, 2007, that \$28,000.00 be appropriated from the \$1,197,000.00 previously allocated for the building of a new maintenance building.

Duly passed and approved this 13th day of November, 2007.

Sponsor _____

Commissioner _____

Approved _____

County Mayor

Attested _____

County Clerk

**RESOLUTION OF THE MONTGOMERY COUNTY BOARD OF COMMISSIONERS
TO APPROPRIATE FUNDS FOR THE CONSTRUCTION OF A COMBINED
FIRE STATION AND EMS STATION**

WHEREAS, it is the desire of the Montgomery County Commission to provide appropriate fire and ambulance services to the citizens and businesses located in Northeast Montgomery County; and

WHEREAS, the original budgeted amount of \$330,000.00 was for an EMS station located in the Industrial Park; and

WHEREAS, the addition of the fire station and the change of location from the Industrial Park to 3850 Guthrie Highway raised the cost of construction by \$421,188.00.

NOW, THEREFORE, BE IT RESOLVED by the Montgomery County Board of County Commissioners assembled in Regular Session on this 13th day of November, 2007, that \$421,188.00 be reappropriated from the remaining \$1,107,000.00 previously allocated for the construction of a new Montgomery County maintenance building.

Duly passed and approved this 13th day of November, 2007.

Sponsor _____

Commissioner _____

Approved _____

County Mayor

Attested _____

County Clerk