

CALL TO ORDER – Sheriff Norman Lewis

PLEDGE OF ALLEGIANCE

INVOCATION – Chaplain Joe Creek

ROLL CALL

APPROVAL OF JANUARY 14, 2008 MINUTES

VOTE ON ZONING RESOLUTIONS

CZ- 1-2008: Application of Gary R. & Rebecca Joines from AG to E-1.

CZO-3-2007: Montgomery County, Tennessee Text Amendment – Relative to Residential Cluster Options. **(Deferred for one month)**

VOTE ON OTHER RESOLUTIONS:

08-2-1: Resolution Approving Amendment Four to Grant Z-08-21322-00 between the State of Tennessee Board of Probation and Parole and Montgomery/Robertson County Community Corrections.

08-2-2: Resolution of the Montgomery County Board of Commissioners to Amend the Montgomery County Highway Department's Budget for the Operation/Maintenance of Equipment in the General Road Fund.

08-2-3: Resolution of the Montgomery County Board of Commissioners to Apply for a Grant from the Local Parks and Recreation Fund (LPRF) of the Tennessee Department of Environment and Conservation for Park Improvements at Civitan Park.

08-2-4: Resolution of the Montgomery County Board of Commissioners to Apply for a Grant from the Recreation Trail Program (RTP) of the Tennessee Department of Environment and Conservation for Rotary Park.

08-2-5: Resolution to Support State Legislation Repealing the Provision that Reduces the Commission Retained by the County Register of Deeds.

UNFINISHED BUSINESS

REPORTS

1. County Clerk's Report – **Requires vote from County Commission**

REPORTS FILED

1. TDOT Project Status Report
2. Court Safety Program: Adult Driver Improvement Program, Juvenile Court Defensive Driving Course and Alive at 25 Defensive Driving Course Revenue and Attendees for October – December, 2007.
3. January 2008 Permit Revenue and Adequate Facilities Tax Reports
4. Highway Department – Quarterly Report (October, November and December, 2007)
5. **Trustee's Report**
6. **Accounts & Budgets Year-To-Date Report**

NOMINATING COMMITTEE NOMINATIONS - Mayor Bowers

COUNTY MAYOR NOMINATIONS - Mayor Bowers

ANNOUNCEMENTS

ADJOURN

**RESOLUTION OF THE MONTGOMERY COUNTY BOARD OF COMMISSIONERS
AMENDING THE ZONE CLASSIFICATION OF THE PROPERTY OF
GARY R. & REBECCA JOINES**

WHEREAS, an application for a zone change from AG Agricultural District to E-1 Single Family Estate District has been submitted by Gary R. & Rebecca Joines and

WHEREAS, said property is identified as County Tax Map 108, parcel 032.00, containing 2.59 acres, situated in Civil District 13, located At the intersection of Iron Workers Road and Old Clarksville Pike, on the west side of Old Clarksville Pike.; and

WHEREAS, said property is described as follows:

Beginning at the iron pin located in the northern right of way of Old Clarksville Road at its intersection with the western right of way of Iron Workers Road: thence with the northern right of way line of said Old Clarksville Road as follows: North 66 degrees 31 minutes 40 seconds west 114.00 feet +/- to the point of a curve; thence on a curve to the left having a tangent of 245.45 feet +/- a radius of 1,271.735 feet +/-, a distance of 484.98 feet +/- to an iron pin located in the William Swaffer southeast corner, thence leaving the right of way line of said road and with Swaffer's line north 0 degrees 07 minutes 10 seconds west 160.65 feet +/- to an iron pin: thence leaving Swaffer's line south 83 degrees 28 minutes 56 seconds east 291.55 feet +/- to an iron pin located in the western right of way line of said Iron Workers Road: thence on a curve of the right having a central angle of 5 degrees 51 minutes 45 seconds a tangent of 128.40 feet +/- to the point of beginning. Containing 2.59 acres +/- Map 108 Parcel 032.00

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 11th day of February, 2008, that the zone classification of the property of Gary R. & Rebecca Joines from AG to E -lis hereby approved.

Duly passed and approved this 11th day of February, 2008.

Sponsor David A. Reggios
Commissioner _____
Approved _____
County Mayor

Attested: _____
County Clerk

**RESOLUTION APPROVING AMENDMENT FOUR TO GRANT
Z-08-21322-00 BETWEEN THE STATE OF TENNESSEE
BOARD OF PROBATION AND PAROLE AND
MONTGOMERY/ROBERTSON COUNTY
COMMUNITY CORRECTIONS**

WHEREAS, the attached proposed grant amendment reflects the most recent revision to the 2007/2008 Budget 101-54230-00000-54-05156 of the Montgomery/Robertson County Community Corrections; and

WHEREAS, the proposed grant amendment sets out a revision in the Maximum Liability section of the annual liability of the State of Tennessee.

NOW, THEREFORE, BE IT RESOLVED that the Montgomery County Board of County Commissioners assembled in regular session on the 11th day of February, 2008, approve the attached Amendment to Grant Z-08-21322-00 between the State of Tennessee Board of Probation and Parole and Montgomery/Robertson County Community Corrections.

Duly passed and approved this 11th day of February, 2008.

Sponsor _____

Commissioner _____

Approved _____

County Mayor

Attested _____

County Clerk

**AMENDMENT ONE
 GRANT BUDGET SUMMARY
 FY 07-08**

GRANTEE: MONTGOMERY / ROBERTSON COUNTY

PROGRAM SERVICES(S): DIRECT SUPERVISION (STRICT)

THE FOLLOWING IS APPLICABLE TO EXPENSE INCURRED IN THE PERIOD : 07/01/07 – 06/30/08

POLICY 03 OBJECT LINE-ITEM REFERENCE	EXPENSE OBJECT LINE ITEM CATEGORY (detail schedules attached)	GRANT CONTRACT
01	Salaries	\$280,601.00
02	Benefits & Payroll Taxes	\$ 89,015.00
03	Total Personnel (Salaries & Benefits)	\$369,616.00
4, 15	Professional Fees/Grants and Awards	\$ 21,500.00
05	Supplies	\$ 23,193.00
06	Telephone	\$ 8,500.00
07	Postage and Shipping	\$ 500.00
08	Occupancy (Office Space)	\$ 34,980.00
09	Equipment Rental and Maintenance	\$ 2,750.00
10	Printing and Publications	\$ 500.00
11, 12	Travel/Conferences and Meeting	\$ 13,000.00
13	Interest	0
14	Insurance	\$ 4,000.00
16	Specific Assistance to Individuals	\$ 0
17	Depreciation	\$ 0
18	Other Nonpersonnel Expenses	\$ 0
19	Total Nonpersonnel Expenses	\$108,923.00
20	(Equipment_ Reimbursable Capital Purchases	\$ 3,000.00
21	Total Direct Program Expenses	\$481,539.00
22	Administrative Expenses (% Indirect)	\$ 10,000.00
23	Total Direct and Administrative Expenses	\$491,539.00
24	- Less Supervision Fees	\$ 18,900.00
25	Total State Appropriation	\$472,639.00

**RESOLUTION OF THE MONTGOMERY COUNTY BOARD OF COMMISSIONERS
TO AMEND THE MONTGOMERY COUNTY HIGHWAY DEPARTMENT'S
BUDGET FOR THE OPERATION/MAINTENANCE OF
EQUIPMENT IN THE GENERAL ROAD FUND**

WHEREAS, the Montgomery County Highway Department's Revenue Code 44170, Miscellaneous Refunds, has increased in monies received. The budgeted figure for Revenue Code 44170 was \$100,000. To date, monies received have been in the total amount of \$208,547.09; and

WHEREAS, the available budget for Revenue Code 44170 Miscellaneous Refunds is \$108,547.09; and

WHEREAS, due to the rising cost of fuel, the gasoline and diesel fund in the General Roads Fund must be increased; and

WHEREAS, the Montgomery County Highway Department has sufficient funds in Revenue Code 44170 to transfer into the General Roads Fund Code 63100/412 Diesel and 63100/425 Gasoline; and

WHEREAS, Revenue Code 63100/412 Diesel, should have \$72,000 brought forth from Revenue Code 44170 Miscellaneous Refunds; and Revenue Code 63100/425 Gasoline, should have \$35,000 brought forth from Revenue Code 44170 Miscellaneous Refunds.

NOW, THEREFORE, BE IT RESOLVED by the Montgomery County Board of Commissioners assembled in Regular Session on this 11th day of February, 2008 that revenue funds be transferred from Revenue Code 44170 to the General Roads Fund of which \$72,000 is to be placed into General Roads Fund Code 63100/412 and \$35,000 is to be placed into General Roads Fund Code 63100/425.

Duly passed and approved this the 11th day of February, 2008.

Sponsor _____

Commissioner _____

Approved _____

County Mayor

Attested _____

County Clerk

**RESOLUTION OF THE MONTGOMERY COUNTY BOARD OF COMMISSIONERS TO
APPLY FOR A GRANT FROM THE LOCAL PARKS AND RECREATION
FUND (LPRF) OF THE TENNESSEE DEPARTMENT OF
ENVIRONMENT AND CONSERVATION FOR PARK
IMPROVEMENTS AT CIVITAN PARK**

WHEREAS, the Montgomery County Conservation Board and the Montgomery County Board of Commissioners support all attempts to improve recreational opportunities within Montgomery County, Tennessee; and

WHEREAS, the Montgomery County Conservation Board has indicated its intention to make major capital improvements to Civitan Park (see attached proposed improvements); and

WHEREAS, the Local Parks and Recreation Fund (LPRF), as administered by the Tennessee Department of Environment and Conservation, offers grants to local governments for partial funding of improvements made to local recreational facilities; and

WHEREAS, Montgomery County Government has committed to providing necessary matching funds or in-kind services which will be used to satisfy the fifty percent (50%) funding match required by the LPRF for all proposed improvements at Civitan Park.

NOW, THEREFORE, BE IT RESOLVED by the Montgomery County Board of Commissioners assembled in Regular Session on this 11th day of February, 2008, that the Commission hereby authorizes the Mayor or her representatives to prepare an application to the LPRF to fund the proposed improvements in the 2008-2009 fiscal year. The application would seek grant funds to be awarded July 1, 2008, not to exceed the amount of \$500,000, with this amount to be matched not to exceed \$500,000 to be taken from the 2008-2009 Capital Improvements Budget of Montgomery County Government and other in-kind matching sources.

Duly passed and approved this 11th day of February, 2008.

Sponsor _____

Commissioner _____

Approved _____

County Mayor

Attested _____

County Clerk

In December of 2007 Parks and Recreation Technical Assistance Service (PARTAS) conducted a Local Recreation Assessment for Montgomery County Parks and Recreation Department. In this assessment PARTAS made recommendations for capital improvements at St. Bethlehem Civitan Park. The following recommendations will be addressed in the proposed 2008 LPRF grant project for St. Bethlehem Civitan Park.

PARTAS RECOMMENDATIONS:

- The Park is in need of a redesign. Develop two quad fields.
- A large centralized restroom/ concession area should be built.
- Restrooms and Concession should meet all ADA accessible guidelines.
- Power lines should be placed underground.
- Electrical boxes need to have locks installed.
- Fields should have irrigation systems installed.

PROPOSED PROJECT:

A two quad ballfield complex will replace the current layout of ballfields. One centralized building will be built in the center of each quad and will house restrooms, concession and press box. Each ballfield will have ADA accessible seating, sports lighting with utilities underground and irrigation systems. This project will also include a new parking area located on the outside of the sports complex. The parking area will include ADA accessible parking and ADA access to the each ballfield.

**RESOLUTION OF THE MONTGOMERY COUNTY BOARD OF COMMISSIONERS TO
APPLY FOR A GRANT FROM THE RECREATION TRAIL PROGRAM (RTP)
OF THE TENNESSEE DEPARTMENT OF ENVIRONMENT
AND CONSERVATION FOR ROTARY PARK**

WHEREAS, the Tennessee Department of Environment and Conservation has established the Recreation Trail Program (RTP) for eligible local governmental entities for the use of capital projects in parks, natural areas and greenways; and

WHEREAS, the Montgomery County Parks and Recreation Department is applying for a grant from the Recreation Trail Program; and

WHEREAS, the grant application states that a resolution from the Montgomery County Board of Commissioners is required to indicate the amount of the funds requested, designate the source of said funds, and to assure the County’s commitment to match the requested amount of the grant.

NOW, THEREFORE, BE IT RESOLVED by the Montgomery County Board of Commissioners assembled in Regular Session on this 11th day of February 2008, that the Commission hereby authorizes the Mayor or her representatives to prepare an application to the RTP to fund in the amount of \$71,200 for the proposed project at Rotary Park. This grant is an 80%/20% matching funds grant to be awarded July 1, 2008. The proposed project cost is estimated to be \$89,000. Montgomery County will match the remaining \$17,800 of this project with funds to be taken from the 2008-2009 Capital Improvements Budget and other in-kind matching sources.

Duly passed and approved this 11th day of February 2008.

Sponsor _____

Commissioner _____

Approved _____
County Mayor

Attested _____
County Clerk

In December of 2007 Parks and Recreation Technical Assistance Service (PARTAS) conducted a Local Recreation Assessment for Montgomery County Parks and Recreation Department. In this assessment PARTAS made recommendations for capital improvements at Rotary Park. The following recommendations will be addressed in the proposed 2008 RTP grant project for Rotary Park:

PARTAS RECOMMENDATIONS:

- No ADA restrooms within access of the amphitheater.
- Add ADA parking spaces around restroom sites and at pavilions and amphitheater.
- Uniform signage at trailhead and trail signage.
- All restrooms that do not meet ADA standards need renovation to those standards.

PROPOSED PROJECT:

This project is to renovate an existing trail. The trail is approximately one and one half miles in distance and reaches from the trailhead at pavilion two to the trailhead at the amphitheater. Trailhead amenities include new ADA restroom facilities and ADA parking at each location. The design will address ADA accessibility to pavilion two and the amphitheater. The portion of the trail that runs along Wall Branch creek will be ADA accessible. The trail will also include three bridges and uniform trail signage.

**RESOLUTION TO SUPPORT STATE LEGISLATION
REPEALING THE PROVISION THAT REDUCES
THE COMMISSION RETAINED BY THE
COUNTY REGISTER OF DEEDS**

WHEREAS, the Montgomery County Legislative Body has determined that Tennessee Code Annotated Title 67 Chapter 4 Section 409 entitles the Register of Deeds office to retain a five percent (5%) commission on taxes levied under this section; and

WHEREAS, the County Legislative Body has determined that fifty-two percent (52%) of the five percent (5%) commission has since been retained by the state for the purpose of funding an antiquated retirement system for county officials; and

WHEREAS, the County Legislative Body has determined that the antiquated retirement system is no longer being funded by the fifty-two percent (52%) of the five percent (5%) commission entitled to be retained by the County Register's Office; and

WHEREAS, such funds are now remitted to the state treasurer and credited to the general fund of the state; and

WHEREAS, the Tennessee Registers Association has asked the state legislative body to repeal the provision that reduces the commission retained by the County Register; and

WHEREAS, the Tennessee Registers Association is asking the County Legislative Body to endorse and support any and all legislation repealing the provision reducing commissions retained by the Register of Deeds Office thereby restoring the retained commission to five percent (5%).

NOW, THEREFORE, BE IT RESOLVED by this legislative body meeting in regular session this 11th day of February, 2008 in Montgomery County, Tennessee that:

SECTION 1. This Legislative Body supports the repeal of the provision reducing the commission retained by the Register of Deeds Office.

SECTION 2. This Legislative Body requests all state legislators to support and adopt legislation repealing said provision.

SECTION 3. The County Clerk's Office shall maintain a copy of this resolution for public inspection in the official minutes of the County Legislative Body and shall forward a certified copy to the Montgomery County's state elected representative(s) and senator(s) urging the repeal of said provision.

Duly passed and approved this 11th day of February, 2008.

Sponsor _____

Commissioner _____

Approved _____

Attested _____

County Clerk