

**CALL TO ORDER**

**PUBLIC HEARING REGARDING ZONING**

**CZ-13-2008:** Application of Katherine D. Conn from R-1 to C-1

**CZ-15-2008:** Application of Mary Sue Defoe from AG to EM-1

**CZ-16-2008:** Application of Richard Ziegler from AG to EM-1

**CZ-17-2008:** Application of Monroe Walker, Jr. from R-1 to AG

**CZ-18-2008:** Application of Monroe Walker, Jr. from R-1 to C-5

**CZ-19-2008:** Application of Linda P., Anthony W. & Debra Hagewood; William & Judy Ladd; and Ben S. & Margaret P. Kimbrough

**CLOSE PUBLIC HEARING**

**RESOLUTIONS**

**08-11-1:** Resolution of the Montgomery County Board of Commissioners to Accept Monetary Donations for the Animal Control Department

**REPORTS**

1. Carolyn Bowers, County Mayor Nominations and Appointments
2. Mike Evans, Industrial Development Board

**REPORTS FILED**

1. Minutes from October 13, 2008
2. October 2008 Permit Revenue and Adequate Facilities Tax Reports
3. Court Safety Program: Adult Driver Improvement Program, Juvenile Court Defensive Driving Course and Alive at 25 Defensive Driving Course Revenue and Attendees for July - September, 2008.

**CITIZENS TO ADDRESS THE COMMISSION** - None

**ANNOUNCEMENTS**

Please let know us know if you and/or your family would be interested in riding on a county sponsored float in the parade.

**ADJOURN**

**RESOLUTION OF THE MONTGOMERY COUNTY BOARD OF  
COMMISSIONERS  
AMENDING THE ZONE CLASSIFICATION OF THE PROPERTY OF  
KATHERINE D. CONN**

WHEREAS, an application for a zone change from R-1 Single Family Residential District to C-1 Neighborhood Commercial District has been submitted by Katherine D. Conn and

WHEREAS, said property is identified as County Tax Map 088, parcel 066.00, containing 1.77 acres, situated in Civil District 13, located At the intersection of Ashland City Road and Excell Road on the east side of Excell Road.; and

WHEREAS, said property is described as follows:

Beginning at a point in the North margin of Ashland City Road, said point being 125 feet +/- east of the intersection Old Ashland City Road and Ashland City Road, also being the southwest corner of the Katherine D. Conn property; thence in a north direction for 198 feet +/- to a point also being the southwest corner of the Jason D. Davis property; thence in a east direction for 383 feet +/- to a point; thence in a south direction for 218 feet +/- to a point, also being the north margin of Ashland City Road; thence in a west direction for 360 feet +/- to the point of beginning. Contaning 1.77 acres Map 088 Parcel 066.00

WHEREAS, the Planning Commission staff recommends DISAPPROVAL and the Regional Planning Commission recommends \_\_\_\_\_ of said application.

NOW, THEREFORE, BE IT RESOLVED by the Montgomery County Board of County Commissioners assembled in regular session on this 10th day of November, 2008, that the zone classification of the property of Katherine D. Conn from R-1 to C-1 is hereby approved.

Duly passed and approved this 10th day of November, 2008.

Sponsor David A. Peggis  
Commissioner \_\_\_\_\_  
Approved \_\_\_\_\_

Attested: \_\_\_\_\_  
County Clerk

County Mayor

**RESOLUTION OF THE MONTGOMERY COUNTY BOARD OF  
COMMISSIONERS  
AMENDING THE ZONE CLASSIFICATION OF THE PROPERTY OF  
MARY SUE DEFOE**

WHEREAS, an application for a zone change from AG Agricultural District to EM-1 Single Family Mobile Home Estate District has been submitted by Mary Sue Defoe and

WHEREAS, said property is identified as County Tax Map 142, parcel 008.00, containing 1.0 acres, situated in Civil District 13, located at the intersection of Phillips Road and State Highway 13 on the west side of Phillips Road and the south side of Highway 13.; and

WHEREAS, said property is described as follows:

Beginning at an old iron pin located in the southerly right-of-way margin of HWY 13, said iron pin being located South 63 degrees 46 minutes 09 seconds West 420.70 feet from the southwest right-of-way of Philips Road; thence leaving the said right-of-way margin of HWY 13m South 08 degrees, 42 minutes, 38 seconds, East 325.36 feet to an old post; thence North 85 degrees, 24 minutes, 06 seconds West 198.19 feet to an old iron pin; thence South 88 degrees, 31 minutes, 40 seconds West 40.49 feet to an old iron pin; thence North 17 degrees, 00 minutes, 00 seconds West 206.87 feet to an old iron pin in the southerly right-of-way margin of HWY 13, North 66 degrees, 23 minutes, 35 seconds East 272.00 feet to the point of beginning and containing 1.50 acres, more or less, Map 142 parcel 008.00

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

NOW, THEREFORE, BE IT RESOLVED by the Montgomery County Board of County Commissioners assembled in regular session on this 10th day of November, 2008, that the zone classification of the property of Mary Sue Defoe from AG to EM-1 is hereby approved.

Duly passed and approved this 10th day of November, 2008.

Sponsor David A. Reggiani  
Commissioner \_\_\_\_\_  
Approved \_\_\_\_\_

Attested: \_\_\_\_\_  
County Clerk

County Mayor

**RESOLUTION OF THE MONTGOMERY COUNTY BOARD OF  
COMMISSIONERS  
AMENDING THE ZONE CLASSIFICATION OF THE PROPERTY OF  
RICHARD ZIEGLER**

WHEREAS, an application for a zone change from AG Agricultural District to EM-1 Single Family Mobile Home Estate District has been submitted by Richard Ziegler and

WHEREAS, said property is identified as County Tax Map 144, parcel 108.06, containing 1.03 acres, situated in Civil District 13, located 335 feet +/- north of the intersection of Devers Road and Ed Thompson Road on the west side of Devers Road; and

WHEREAS, said property is described as follows:

Beginning at a point in the mouth of a branch which feeds into Louise Creek at a point where the branch intersects with the west margin of Devers Road, Located North 10 degrees, 34 minutes, 30 seconds West 393.24 feet from the centerline point of intersection of Devers Road and Ed Thompson Road, and continuing Thence up the meanders of the branch and with James E. Thompson's East line North 35 degrees, 17 minutes, 58 seconds West 108.15 feet, North 19 degrees, 08 minutes, 52 seconds West 66.89 feet, North 37 degrees, 01 minutes, 43 seconds West 32.80 feet, North 59 degrees, 41 minutes, 21 seconds West 89.69 feet, North 42 degrees, 37 minutes, 30 seconds West 84.16 feet, North 7 degrees, 54 minutes, 03 seconds East 51.24 feet, North 87 degrees, 55 minutes, 53 seconds East 18.35 feet, North 3 degrees, 40 minutes, 53 seconds East 51.48 feet, Thence leaving the branch and running with John Wayne Hobbs' south line North 69 degrees, 07 minutes, 35 seconds East 26 .52 feet to an iron rod set for witness pin, thence North 69 degrees, 07 minutes, 35 seconds East 58.11 feet to a forked walnut in the fence, thence South 55 degrees, 26 minutes, 15 seconds East 82.50 feet to an iron rod set, thence North 73 degrees, 33 minutes, 45 seconds East 21.45 feet to an iron rod set in the west margin of Devers Road, thence with the road South 4 degrees, 31 minutes, 35 seconds East 43.51 feet to an iron rod set, thence South 6 degrees, 38 minutes, 55 seconds East 335.93 feet to the point of beginning, containing 1.032 acres, plus or minus, Map 144 Parcel 108.06

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

NOW, THEREFORE, BE IT RESOLVED by the Montgomery County Board of County Commissioners assembled in regular session on this 10th day of November, 2008, that the zone classification of the property of Richard Ziegler from AG to EM-1 is hereby approved.

Duly passed and approved this 10th day of November, 2008.

Sponsor David A. Reggins  
Commissioner \_\_\_\_\_  
Approved \_\_\_\_\_

Attested: \_\_\_\_\_  
County Clerk

County Mayor

**RESOLUTION OF THE MONTGOMERY COUNTY BOARD OF COMMISSIONERS  
AMENDING THE ZONE CLASSIFICATION OF THE PROPERTY OF MONROE WALKER, JR.**

WHEREAS, an application for a zone change from R-1 Single Family Residential District to AG Agricultural District has been submitted by Monroe Walker, Jr. and

WHEREAS, said property is identified as County Tax Map 078, parcel 077.00, containing 87 acres, situated in Civil District 13, located 1300 feet +/- northeast of the intersection of River Road and Zinc Plant Road; and

WHEREAS, said property is described as follows:

Beginning at an iron pin (new) in the southerly line of the Monroe Walker, Jr. property, said iron pin being in the North right-of-way of Zinc Plant Road, and being 0.2 miles West of River Road; thence in a east direction for 267 feet +/- to a point; thence in a northwest direction for 170 feet +/- to a point; thence in southwest direction for 227 feet +/- to a point being in the north right of way of Zinc Plant road; thence following in said right of way for 1174 feet +/- to a point being the southwest corner of the Cumberland Heights Utility District; thence in a east direction for 150 +/- along the Cumberland Heights Utility District property line to a point; thence in a northwest direction for 150 feet +/- to a point; thence in a west direction for 150 feet +/- to a point being in the north right of way of Zinc plant Road; thence remaining in said right of way for 620 feet +/- to a point being the southwest corner of the Darrell William's property; thence in a north east direction following the south border of the Cherokee Bluff Subdivision for 2824 feet +/- to a point; thence in a southeast direction to the bank of the Cumberland River 771 feet +/- to a point; thence meandering along the bank of said river for 1793 feet +/- to a point being the northeast corner of the Stuart B. Bonnington property; thence along the north property line of said property 871 feet +/- to the point of beginning; Map 78 parcel 077.00 Containing 87 acres.

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

NOW, THEREFORE, BE IT RESOLVED by the Montgomery County Board of County Commissioners assembled in regular session on this 10th day of November, 2008, that the zone classification of the property of Monroe Walker, Jr. from R-1 to AG is hereby approved.

Duly passed and approved this 10th day of November, 2008.

Sponsor David A. Higgins  
Commissioner \_\_\_\_\_  
Approved \_\_\_\_\_

Attested: \_\_\_\_\_  
County Clerk

County Mayor

**RESOLUTION OF THE MONTGOMERY COUNTY BOARD OF COMMISSIONERS  
AMENDING THE ZONE CLASSIFICATION OF THE PROPERTY OF MONROE WALKER, JR.**

WHEREAS, an application for a zone change from R-1 Single Family Residential District to C-5 Highway and Arterial Commercial District has been submitted by Monroe Walker, Jr. and

WHEREAS, said property is identified as County Tax Map 078, parcel 077, containing 1 acres, situated in Civil District 13, located 1300 feet +/- northeast of the intersection of River Road and Zinc Plant Road; and

WHEREAS, said property is described as follows:

Beginning at an iron pin (new) in the southerly line of the Monroe Walker, Jr. property, said iron pin being in the North right-of-way of Zinc Plant Road, and being 0.2 miles West of River Road;

Thence with the said North right-of-way, on a curve to the right, said curve having a radius of 697.17 feet, an arc length of 418.46 feet, a cord bearing of North 72 degrees 32 minutes 21 seconds west, and a chord distance of 412.20 feet to an iron pin (new);

Thence leaving the said North right-of-way on three (3) new severance lines through the said Walker property as follows: North 45 degrees 55 minutes 17 seconds East 227.05 feet +/- to an iron pin (new); Thence South 82 degrees 33 minutes 43 seconds East 169.10 feet +/- to an iron pin (new); Thence South 13 degrees 30 minutes 50 seconds East 267.13 feet to the point of beginning. Map 078 Parcel 77  
Said Tract contains 1.626 Acres +/-

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

NOW, THEREFORE, BE IT RESOLVED by the Montgomery County Board of County Commissioners assembled in regular session on this 10th day of November, 2008, that the zone classification of the property of Monroe Walker, Jr. from R-1 to C-5 is hereby approved.

Duly passed and approved this 10th day of November, 2008.

Sponsor David A. Ruggins  
Commissioner \_\_\_\_\_  
Approved \_\_\_\_\_

Attested: \_\_\_\_\_  
County Clerk

County Mayor

**RESOLUTION OF THE MONTGOMERY COUNTY BOARD OF  
COMMISSIONERS  
AMENDING THE ZONE CLASSIFICATION OF THE PROPERTY OF  
LINDA P., ANTHONY W. & DEBRA HAGEWOOD / WILLIAM & JUDY LADD /  
BEN S. & MARGARET P. KIMBROUGH**

WHEREAS, an application for a zone change from AG Agricultural District / C-5 Highway and Arterial Commercial District to M-2 General Industrial District has been submitted by Linda P., Anthony W. & Debra Hagewood / William & Judy Ladd / Ben S. & Margaret P. Kimbrough and

WHEREAS, said property is identified as County Tax Map 016, parcel 002.00, 004.00, 004.01, containing 940.5 acres, situated in Civil District 13, located 150 feet +/- east of the intersection of Old Tylertown Road and Tylertown Road on the south side of Tyler Town Road; and

WHEREAS, said property is described as follows:

“EXHIBIT A”

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

NOW, THEREFORE, BE IT RESOLVED by the Montgomery County Board of County Commissioners assembled in regular session on this 10th day of November, 2008, that the zone classification of the property of Linda P., Anthony W. & Debra Hagewood / William & Judy Ladd / Ben S. & Margaret P. Kimbrough from AG / C-5 to M-2 is hereby approved.

Duly passed and approved this 10th day of November, 2008.

Sponsor David A. Peggins  
Commissioner \_\_\_\_\_  
Approved \_\_\_\_\_

Attested: \_\_\_\_\_  
County Clerk

County Mayor

“EXHIBIT A”

Tract # one (1)

Beginning at the centerline intersection of Tylertown Road and Old Tylertown Road in the south margin of Tylertown Road in a northeast direction for 130 feet +/- to a point. Thence in a south direction along the west property line of Ben S. Kimbrough for 1705 feet +/- to a point also being the northeast corner of the Jerome Oldham property; thence in a west direction for 511 feet +/- to a point; thence in a north direction for 836 feet +/- also being the northeast corner of the Edward Dwayne Tyler property: thence following the south margin of Old Tyler Town Road to the point of beginning: Map 009 Parcel 021.00 Containing 15 acres.

Tract # two (2)

Beginning at the centerline intersection of Tylertown Road and Old Tylertown Road in a east direction for 130 feet +/- to a point: thence in the south margin of Tylertown Road for 1,267 feet +/- to a point, also being the northwest corner of the Mimms Family partnership; thence in a south direction 3495 feet +/- to a point also beginning the southwest corner of the Mimms Family Partnership: thence in a east direction for 1592 feet +/- to a point; thence in a south direction for 4151 feet +/- to a point being the north side of Spring Creek, thence meandering along Spring Creek in a southwest direction for 830 feet +/-; thence in a south direction for 217 feet +/- along the west border of the First Baptist Church of St Bethlehem Inc. property; thence in a west direction for 107 feet +/- along the northeast property of Ben S. Kimbrough; thence meandering in a west direction along Spring Creek for 2868 feet +/- to a point also being the south east corner of the reserve at Oakland Homeowners assoc; thence in a northwest direction along the Reserve at Oakland Homeowners Association east property line for 717 feet +/- to a point; thence in a west direction for 277 feet +/- to the margin at the end of Current Road; thence in a north direction 1335 feet +/- to a point along the John T. Rockford east property line to a point; thence in a west direction for 750 feet +/- to a point; thence in a north direction 1075 feet +/- to a point also being the southwest corner of the Eliza Tyler Estate; thence in a east direction along the south property line of Eliza Tyler Estate for 260 feet +/- to a point thence in a north direction for 2914 feet +/- to the point of beginning; Map 016 Parcel 002.00 Containing 322.5 acres.

Tract # three (3)

Beginning at the centerline intersection of Guthrie Highway and Jim Johnson Road going in a northwest direction for 2991 feet +/- across Spring Creek to a point in the right of way of Jim Johnson Road: thence following the right of way of said road for 3040 feet +/- to a point also being the southwest corner of the Anthony W. Hagewood property; thence in a east direction for 3398 feet +/- to a point; thence in a south direction for 1007 feet +/- to a point on the north bank of Spring Creek: thence in a west meandering along spring creek to Jim Johnson Road beginning the point of beginning. Map 016 Parcel 004.00 Containing 86 acres

Tract # four (4)

Beginning at the centerline intersection of Clear Springs Road and Guthrie Highway in a southwest direction for 2416 feet +/- in the right of way of Guthrie Highway to a point being the southeast corner of the Linda Hagewood property and the southwest corner of the Johnny Tucker property; thence crossing spring creek in a northwest direction for 2868 feet +/- to a point also being the southeast corner of the Paul E. Cooper Sr. property ; thence along the southern property line of the Paul E. Cooper Sr. property for 3657 feet +/- to a point ; thence in a south direction for 1835 feet +/- to a point; thence in a west direction for 2463 feet +/-; thence in a south direction for 1259 feet +/- to a point also being the southeast corner of the Kurt Michael Jones property; thence in a west direction for 748 feet +/- along the south property line of he Kurt Michael Jones property to a point; thence in a south direction along the east property line of Anthony W. Hagewood for 352 feet +/- to a point. thence in a west direction for 2982 feet +/- to a point; thence in a south direction for 978 feet to the bank of Spring Creek: thence in a east direction following the creek for 874 feet +/- to a point in the middle of the creek; thence in a south direction for 1478 feet +/- to point also being the northeast property corner of the Lawrence Bowman property; thence in a southeast direction along the Bowman property line for 534 feet +/-



to a point also being the right of way of Guthrie Highway; thence in a east direction for 2393 feet to the point of beginning; Map 15 Parcel 003.01 Containing 514 acres

Tract # five (5)

Beginning at the intersection of Jim Johnson Road and Guthrie Highway 5984 feet +/- in a northwest direction in the at a point in the east margin of Jim Johnson Road: thence in a east direction along the north property line of the Donald William Ladd property for 416 feet +/- to a point: thence in a north direction for 352 feet +/- to a point; thence in a west direction for 419 feet +/- to a point in the east margin of Jim Johnson Road: thence in a south direction the east margin of Jim Johnson Road for 384 feet +/- to the point of beginning. Map 016 Parcel 004.01 Containing 3 acres.

**RESOLUTION OF THE MONTGOMERY COUNTY  
BOARD OF COMMISSIONERS TO ACCEPT MONETARY DONATIONS  
FOR THE ANIMAL CONTROL DEPARTMENT**

**WHEREAS**, a monetary donation of One Hundred Thousand Dollars (\$100,000) was given anonymously to the Animal Control Department; and

**WHEREAS**, the funds will be used primarily for the care and welfare of impounded animals, improvement of the animal control facility, and needs of the department that will further enhance the ability to provide adequate animal control and enforcement; and

**WHEREAS**, the funds shall be placed in the department’s reserve fund, 101-55120-00000-55, object code 34461; and

**WHEREAS**, the funds shall be available for the Animal Control Department as needed. All requests will be submitted through the Budget Committee and in accordance with county policy.

**NOW, THEREFORE, BE IT RESOLVED** by the Montgomery County Board of Commissioners assembled in Regular Session on this 10th day of November, 2008, that **monetary donations intended for the Animal Control Department shall be placed in the department’s reserve account and be available for the department’s use through procedures established by the 1957 Purchasing Act.**

**Duly passed and approved this 10th day of November, 2008.**

Sponsor \_\_\_\_\_

Commissioner \_\_\_\_\_

Approved \_\_\_\_\_

County Mayor

Attested \_\_\_\_\_

County Clerk