

**CALL TO ORDER**

**PUBLIC HEARING REGARDING ZONING**

**CZ-25-2009:** Application of H & H Sheet Metal Fabrications, Inc. from C-5/AG to M-2

**CLOSE PUBLIC HEARING**

**RESOLUTIONS**

- 09-10-1:** Resolution Establishing Regulations and Requirements (“Montgomery County Ambulance Requirements”) for the Operation of Patient Transport Services in Montgomery County; Granting Exclusive Service Rights to Montgomery County Emergency Medical Service to Operate and Maintain an Ambulance Service as the Primary Service Provider of Patient Transport and Emergency Medical Care Services Within the Borders of Montgomery County; and Declaring that the Operation of Ambulance Services Within Montgomery County is a Public Service Necessary for the Convenience and Protection of the Health, Safety and Welfare of the Citizens and Inhabitants of this County
- 09-10-2:** Resolution to Accept Block Grant Funds from the Bureau of Justice, Assistance of the United States Department of Justice
- 09-10-3:** Resolution to Accept a Recovery Act Edward Byrne Memorial Justice Assistance Grant Funds from the Bureau of Justice Assistance of the United States Department of Justice
- 09-10-4:** Resolution to Accept Grant Funds from the State of Tennessee, Department of Agriculture, Forestry Division

**REPORTS**

1. Ginger Miles, Chairman, Nominating Committee

**REPORTS FILED**

1. Minutes from September 14, 2009
2. September 2009 Permit Revenue and Adequate Facilities Tax Reports

**CITIZENS TO ADDRESS THE COMMISSION**

1. Geneva Bell – “Make a Difference Day”

**ANNOUNCEMENTS**

**ADJOURN**

**RESOLUTION OF THE MONTGOMERY COUNTY BOARD OF COMMISSIONERS  
AMENDING THE ZONE CLASSIFICATION OF THE PROPERTY OF  
H & H SHEET METAL FABRICATORS, INC.**

WHEREAS, an application for a zone change from C-5 Highway & Arterial Commercial District / AG Agricultural District to M-2 General Industrial District has been submitted by H & H Sheet Metal Fabricators, Inc. and

WHEREAS, said property is identified as County Tax Map 010, parcel 010.00, containing 33.05 acres, situated in Civil District 13, located Northeast corner of the Shadybrook Lane and Highway 79 intersection.; and

WHEREAS, said property is described as follows:

Beginning at a point in the southeast right-of-way of Highway 79 (Guthrie Highway), said point being the northwest corner of the Robert Broome property, said point also being 211+/- feet northeast of the Shadybrook Lane and Highway 79 intersection; thence with the southeast right-of-way of Highway 79 North 44 degrees 34 minutes 38 seconds East, 504.27 feet to a point, said point being in the Tennessee/Kentucky State Line; thence with the said state line, North 87 degrees 38 minutes 27 seconds East, 1641.68 feet to a point being the northwest corner of the Joseph Reynolds property; thence with the northwest property line of Reynolds, South 40 degrees 09 minutes 47 seconds West, 1600.03 feet to a point being the northwest corner of the Michael Sopko property; thence with the northwest line of Sopko, South 52 degrees 07 minutes 18 seconds West, 199.38 feet to a point in the north right-of-way of Shadybrook Lane; thence with the north right-of-way of Shadybrook Lane in a northwesterly direction, 991.88 feet to a point being the southeast corner of the Robert Broome property, thence with Broome the following two calls: North 48 degrees 57 minutes 33 seconds East, 133.17 feet to a iron pin; thence North 41 degrees 21 minutes 17 seconds West, 244.81 feet to the point of beginning; containing 33.05+/- acres (Tax Map 010, parcel 010.00)

WHEREAS, the Planning Commission staff recommends DISAPPROVAL and the Regional Planning Commission recommends DISAPPROVAL 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 October, 2009, that the zone classification of the property of H & H Sheet Metal Fabricators, Inc. from C-5 / AG to M-2 is hereby approved.

Duly passed and approved this 10th day of October, 2009.

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

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

County Mayor

**A RESOLUTION ESTABLISHING REGULATIONS AND REQUIREMENTS (“MONTGOMERY COUNTY AMBULANCE REQUIREMENTS”) FOR THE OPERATION OF PATIENT TRANSPORT SERVICES IN MONTGOMERY COUNTY; GRANTING EXCLUSIVE SERVICE RIGHTS TO MONTGOMERY COUNTY EMERGENCY MEDICAL SERVICE TO OPERATE AND MAINTAIN AN AMBULANCE SERVICE AS THE PRIMARY SERVICE PROVIDER OF PATIENT TRANSPORT AND EMERGENCY MEDICAL CARE SERVICES WITHIN THE BORDERS OF MONTGOMERY COUNTY; AND DECLARING THAT THE OPERATION OF AMBULANCE SERVICES WITHIN MONTGOMERY COUNTY IS A PUBLIC SERVICE NECESSARY FOR THE CONVENIENCE AND PROTECTION OF THE HEALTH, SAFETY AND WELFARE OF THE CITIZENS AND INHABITANTS OF THIS COUNTY**

**WHEREAS**, pursuant to the legal authority vested in cities and counties under the laws of the State of Tennessee, the Montgomery County Legislative Body hereby promulgates reasonable and legitimate governmental restrictions on private and nonprofit ambulance services operating in the county and formerly declares that the Montgomery County Emergency Medical Service is the primary provider of patient transport services within the County, and in so adopts regulations to guarantee the integrity and level of competence for emergency medical and patient transport services operating within Montgomery County, and

**WHEREAS**, T.C.A. § 7-61-102 provides that the governing body of any county or city of the State of Tennessee may provide, maintain and do all things necessary to provide ambulance service as a public service, and

**WHEREAS**, T.C.A. § 7-61-103 states in pertinent part that in order to protect the public health and welfare, any county or city may adopt reasonable regulations to control the provision of private or nonprofit ambulance service, and

**WHEREAS**, the Montgomery County Legislative Body so declares that the operation of an ambulance service within the borders of Montgomery County is a public service and not a business of common right, and the protection of the public health, safety and welfare outweighs the burden of these restrictions on the private and nonprofit entities they are designed to regulate, and

**WHEREAS**, the operation of a public ambulance service within Montgomery County is a reasonable and legitimate governmental interest and so subject to the adoption and enforcement of local regulations and controls designed to protect the health, safety and welfare of the citizens of Montgomery County, and

**WHEREAS**, it is within the legislative discretion of the Montgomery County Legislative Body to so designate an ambulance service as the subject of exclusive primary emergency and 911 service provider rights, and to further operate and maintain an ambulance service for the benefit of the citizens of Montgomery County, and

**WHEREAS**, T.C.A. § 7-61-104 dictates that no county may provide and maintain, license, franchise, or contract for ambulance service within the boundaries of a city or another county, and no city may provide and maintain, license, franchise, or contract for ambulance service outside its corporate boundaries, without the approval of the governing body of the area to be served.

**NOW, THEREFORE, BE IT RESOLVED** by the Montgomery County Board of Commissioners meeting in regular session this 12<sup>th</sup> day of October, 2009, that this body does hereby adopt the following resolution known as the:

### **MONTGOMERY COUNTY AMBULANCE REQUIREMENTS**

**SECTION I:**           Scope of Coverage

The provisions of this Resolution shall apply to all ambulance and patient transport services operating in Montgomery County, including the Montgomery County Emergency Medical Service and other governmental, private or nonprofit ambulance services.

**SECTION II:**           Grant of Exclusive Primary Service Provider Rights

The Montgomery County Emergency Medical Services is hereby granted the exclusive primary service right to handle all calls for emergency and 911 patient transport services.

**SECTION III:**           Approval of Municipalities

Local municipalities within the boundaries of Montgomery County will be served by the Montgomery County Emergency Medical Service, and subject to all inter-local agreements and contracts currently in effect. All private contracts entered into by Montgomery County Emergency Medical Service to be performed within the corporate boundaries of a municipality shall be approved by the governing body of the area to be served and the Montgomery County Legislative Body.

**SECTION IV:**           Agreement with other Counties

The Montgomery County Emergency Medical Service may also enter into agreements with other surrounding counties to provide and operate an ambulance service within another county or portions of other counties, but only with the express consent and approval of the Montgomery County Legislative Body and the governing body of the county to be served.

**SECTION V:**           Agreement with Private Entities

The Montgomery County Emergency Medical Service may contract with private entities, and health care facilities for patient transport services subject to the approval of the Montgomery County Legislative Body and governing body of the area to be served.

**SECTION VI:**        Private, Nonprofit Service Must Obtain Local License

No other private, nonprofit or governmental ambulance service may operate an ambulance service within the unincorporated areas of Montgomery County, except with the proper local authorization and compliance with all requirements contained herein.

**SECTION VII:**       Deferred Calls, Local License Required

Only those private or nonprofit ambulance services properly authorized and meeting all county requirements and regulations outlined below will be allowed to handle deferred calls for service arising within Montgomery County.

**SECTION VIII:**     Patient's Private Right to Select

Nothing contained within this Resolution shall be interpreted as restricting or interfering with the right of the individual patient to select a private person for their personal patient transport needs, so long as, in the case of a private request for a particular ambulance service, the ambulance service requested must meet the requirements of this Resolution and is authorized in Montgomery County.

**SECTION IX:**        No Interference with Emergency Medical Care

At no time shall the provisions of this Resolution operate to impede the practical and proper medical care and emergency patient transport needs of any patient, provided that a valid medical necessity was in existence at the time. To wit, no private or non-profit service shall be allowed to respond in an emergency mode to any scene or facility. An emergency response constitutes that an emergency medical situation exists and Montgomery County Emergency Medical Services' assets should be requested immediately via 911. An "Emergency Medical Condition" is defined as any medical condition manifesting itself by acute symptoms of sufficient severity (including severe pain) that in the absence of immediate medical attention could be expected to result in placing the patient's health serious jeopardy; serious impairment to bodily function; or, serious dysfunction to any body organ or part.

**SECTION X:**         No Denial of Service

No ambulance service or patient transport service operating in Montgomery County shall deny emergency medical treatment or patient transportation services to any individual based on that individual's race, creed, sex, national origin, religious belief, insurance coverage, ability to pay, or any other discriminatory practice. Ambulance services shall be available to all requestors inside the boundaries of Montgomery County commensurate with the terms and provisions of this Resolution.

**SECTION XI:**        Fees Shall Be Reasonable

Fees and total charges for all ambulance services licensed and operating in Montgomery County shall at all times be reasonable and competitive within the Middle Tennessee area, and shall be subject to discretionary review by any agent of Montgomery County Emergency Medical Services and/or Montgomery County Accounts and Budgets Department.

**SECTION XII:**      Health Care Facilities

All health care facilities, including, but not limited to, hospitals, clinics, nursing homes, assisted care or homes for the aged shall consider the Montgomery County Emergency Medical Service as the primary Emergency and 911 service provider of patient transport needs in Montgomery County and shall at all times respect and adhere to the terms of this Resolution. Subject to the individual patient's request for a particular person, private, nonprofit, or government operated ambulance service to meet that individual's private non-emergency patient transport needs, all calls for

ambulance service or patient transport needs shall be transmitted to the Montgomery County Emergency Medical Service as the primary ambulance provider. The Montgomery County Emergency Medical Service shall handle the call for service within a reasonable period of time depending on the priority status of the call, provided that the Montgomery County Emergency Medical Service currently has the available resources, dependent upon, but not limited to, call volume, staff, ambulance and equipment availability in operation to properly and safely handle the call. If resources are currently not available from the Montgomery County Emergency Medical Service to properly and safely handle the call, such may then defer to another state and locally authorized ambulance service approved to conduct Montgomery County patient transport services. Only those locally authorized ambulance services will be allowed to operate, conduct patient transport services, and handle deferred calls within Montgomery County.

**SECTION XIII:**     State License Required

All private or non-profit ambulance services operating in Montgomery County must be properly licensed by the Tennessee Department of Health - Emergency Medical Service guidelines and regulations.

**SECTION XIV:**     Vehicles Must Comply with State and Local Laws

All vehicles providing ambulance service within the boundaries of Montgomery County shall adhere to the laws of the State of Tennessee regarding emergency medical and patient transport requirements, licensing, traffic laws regarding responses to emergencies, provisions of this Resolution and the following rules and regulations adopted by the Montgomery County Legislative Body.

**SECTION XV:**     Local Vehicle Regulations

All vehicles providing ambulance, and/or patient transport services, except those operated by private citizens pursuant to an individual private patient's request, must conform and comply with all requirements of current and contemporaneous Tennessee law, and the following locally adopted mandates:

- A) All vehicles must conform to the Tennessee Department of Health Regulations concerning specifications, licensing and equipment.
- B) Each ambulance must be properly equipped with licensed staff and all equipment and supplies necessary to be a Class A unit and shall contain all equipment and supplies listed in Section XVIII of this resolution.
- C) Each ambulance shall be inspected daily for maintenance and repair purposes and compliance with the mandated ambulance inventory of equipment and supplies checklist listed in Section XVIII of this Resolution.
- D) All ambulances must be properly staffed, capable of responding to, and equipped to handle emergency calls and natural disasters when needed and requested by Montgomery County Government, Emergency Management Director or the Montgomery County Emergency Medical Service.
- E) Each ambulance must be equipped with a two-way radio system for both communications with their base dispatcher, hospitals, Montgomery

County Emergency Medical Service, 911 Call Center, and Emergency Management Director from both inside and outside the ambulance on VHF, UHF, and/or 800 MHz frequencies or such other additional frequencies as may be designated from time to time by the FCC Coordinator.

- F) Provisions of this Resolution shall not preclude Invalid Transport as defined by Tennessee Department of Health, Emergency Medical (TDH-EMS) guidelines, so long as such Invalid Transport conforms to all state or locally adopted regulations.
- G) Ambulances must have available all necessary equipment needed to allow the ambulance to travel safely in adverse or inclement weather conditions. Each service authorized in Montgomery County shall comply with the Montgomery County Inclement Weather Policy and associated provisions of the Montgomery County Emergency Management Agency guidelines and directives.
- H) Each ambulance, with the exception of designated back-up units, must be housed inside, or kept in an environment as to maintain the interior temperature of the ambulance between forty degrees (40°) and ninety degrees (90°) at all times.
- I) Each ambulance shall display the company name and ambulance identification number on front, back and both exterior sides of the vehicle's body with a minimum size four (4) inch block letters. Letters should contrast with the primary body color of the vehicle and should be easily readable from a distance of one hundred (100) feet. Unit must conform to all State of Tennessee Department of Health, Division of EMS, Rules & Regulations.
- J) All ambulances and equipment shall be kept clean and sanitary at all times. Staff shall be continuously supplied with cleaning equipment, supplies and an area suitable for cleaning and disinfecting the ambulance.
- K) Ambulances shall be no more than eight (8) years old from the date of new sale or have no more than two hundred thousand (200,000) miles on the odometer, except for established and dedicated back-up units.
- L) All vehicles must comply at all times with state guidelines for maintenance adopted by the Tennessee Department of Health and Tennessee Department of Transportation.
- M) Vehicles must be maintained by an ASE certified Master Automotive Technician.

- N) Ambulances shall undergo preventative maintenance every Five-thousand (5,000) miles and repaired immediately when operational deficiencies are identified and reported by staff.

**SECTION XVI: Drivers and Attendants**

All drivers and attendants must meet the following requirements:

- A) Any ambulance used by a licensed service provider for patient transport services in Montgomery County shall conform to all Class A ambulance standards as defined by the Tennessee Department of Health, Division of Emergency Medical Services (TDH-EMS), and must be staffed with a minimum of two emergency medical technicians who are IV certified and licensed when responding to all patient transport calls. Basic life support units shall consist of no less than two (2) Emergency Medical Technicians. Paramedics conducting Advanced Life Support transports shall be concurrently certified in Advanced Cardiac Life Support, Basic Trauma Life Support or Pre-hospital Trauma Life Support, and Pediatric Advanced Life Support or Pediatric Emergency Pre-hospital Provider.
- B) Any service requesting authorization by Montgomery County shall have no person designated as supervisor or shift captain who is less trained or qualified than the person or persons under their command.
- C) Each Emergency Medical Technician and Paramedic shall be physically able to perform the tasks associated with patient rescue, medical treatment and patient transport.
- D) Each Emergency Medical Technician and Paramedic shall be clean in appearance and dress, and shall at all times display his/her name, certification and company/agency name in an appropriate manner on their uniform. Uniform dress for all personnel is required with an insignia or patch displaying the name of the company or agency on the shirt.
- E) Any service requesting authorization shall have only licensed Emergency Medical Technicians and/or Paramedics providing patient care and transport services.
- F) Any service requesting authorization by Montgomery County shall provide a description of their training program, including training requirements for new employees, continuing education requirements and employee evaluation programs.
- G) Personnel certification, license, and training compliance documents shall be provided to the Montgomery County Emergency Medical Service by September 30<sup>th</sup> of each calendar year.



**SECTION XVII: Authorization Documents**

Each ambulance service requesting authorization to operate in Montgomery County shall complete an application as well as provide the following documents prior to being considered or receiving approval for local authorization.

- A) The full name and address of the applicant and the owner or owners of the business.
- B) The trade or other business name(s) in which the applicant does business or proposes to do business under and verification of name registration from the Tennessee Secretary of State.
- C) The training or experience of the applicant in the transportation and care of patients, with a minimum requirement of two (2) years experience operating an ambulance service.
- D) A list of employees including current copies of licenses as Emergency Medical Technicians or Paramedics and all certifications to include, but not limited to: Cardio Pulmonary Resuscitation, and other specific advanced certification documents, state license number, motor vehicle record, criminal record and a copy of the employee's Tennessee driver's license.
- E) A description of each ambulance to be utilized in Montgomery County including the make, model, year of manufacture, current odometer reading, state E.M.S. permit number, vehicle identification number, primary body color, and the length of time the vehicle has been owned by the applicant or company and the amount of years the vehicle has been in service. The applicant shall provide a photograph of each ambulance utilized in Montgomery County to the Director of the Montgomery County Emergency Medical Service prior to county authorization being granted.
- F) The location and address of the company office in Montgomery County and the primary office address of the company.
- G) Phone numbers to access patient transport services, management and supervisors twenty-four (24) hours per day.
- H) Accurate financial records to describe the company's current and historic financial condition.
- I) Copies of the corporate charter and by-laws or the like for the business organization.
- J) Name, address and phone number of the individual selected for service of legal process.

- K) Name and address of all shareholders/owners holding five percent (5%) or more of the company's shares or ownership assets.
- L) The name and address of the medical director employed by the service.
- M) Each service must provide any documentation requested to verify compliance with any section or term included in this Resolution.
- N) Shall provide an affidavit that the dispatch center meets all requirements as defined in section XXV.
- O) Each service operating in Montgomery County shall apply for authorization annually to the EMS Director or designee to ensure it meets all regulations contained in this Resolution and shall update employee records on file with Montgomery County as needed. Any services already operating within Montgomery County upon adoption of this resolution shall have sixty (60) days to make application and be authorized.

**SECTION XVIII:** Ambulance Inventory and Daily Checklist

The unit supply list shall conform to the required supply list as referenced in the State of Tennessee EMS Code of Rules & regulations as cited in, Rules of the Tennessee Department of Health, Bureau of Health Licensure & Regulation, Division of Emergency Medical Services, Chapter 1200-12-1-.03

**SECTION XIX:** Must Respond to Emergencies and Disasters

All providers of service in Montgomery County are required, in all cases of disaster or emergency drill preparedness, to respond to all requests for service from the Montgomery County Government, Montgomery County Emergency Medical Service, Montgomery County Emergency Management Agency and report for coordination and training when requested to do so by the Director of the Montgomery County Emergency Medical Service or the Incident Commander on scene.

**SECTION XX:** Insurance Coverage

All ambulance services operating in Montgomery County shall maintain the minimum insurance coverage as required by the State of Tennessee per incident for malpractice, per incident for automobile insurance, and for professional liability and must maintain the statutory minimum limits on worker's compensation insurance. The insurance company must be authorized and licensed to operate in the State of Tennessee. Proof of insurance shall be made available to the Montgomery County Emergency Medical Service Director prior to local authorization being granted.

**SECTION XXI:** Restrictions on Trade Name

No ambulance service operating in Montgomery County shall use or advertise the words "Montgomery County" as a part of its trade or business name.

**SECTION XXII:** Restrictions on Telephone Numbers; Display of 911

No private or nonprofit ambulance service or patient transport provider shall display or advertise a seven (7) or ten (10) digit telephone number for emergency calls for service. All services shall include the "911" number for emergency calls in any advertising and shall not represent that another telephone number other than "911" should be used to request an emergency ambulance. Any

advertising or document, letter head, business card, brochures distributed or generated by the private or nonprofit ambulance service that includes the company's seven (7) or ten (10) digit telephone number should also include a statement or reference that "911" should be used to call for emergency medical care and transportation purposes.

**SECTION XXIII: Monitoring Radio Frequency to Obtain Calls**

No private or nonprofit ambulance service, or agent thereof, shall cause or permit any ambulance to be dispatched on the basis of information received and obtained by monitoring a radio frequency assigned to law enforcement, ambulance service, rescue squad or other governmental or public agency, except pursuant to specific request and prior arrangement with the coordinating agency responsible for dispatching emergency ambulances.

**SECTION XXIV: Physician Medical Director**

All services authorized and operating in Montgomery County must designate and identify the name, address and phone number of the medical director on staff. All medical directors must be Tennessee licensed physicians. The appointed medical director shall at all times work in conjunction with the Montgomery County Emergency Medical Service to ensure that the medical treatment and transport protocol standards are being properly followed by the licensed service and its staff personnel.

**SECTION XXV: Dispatcher and Dispatch Center Required**

Each service authorized and operating in Montgomery County shall provide at all times for a twenty-four (24) hour per day dispatch center and on-duty dispatcher for communication purposes. Dispatchers shall work no more than twelve (12) hour daily shift assignments. All dispatchers are required to be trained and licensed as an Emergency Medical Technician, or Emergency Medical Dispatcher; trained in the operation of, and continually monitor while on duty, a telephone device for the deaf (TDD); must pass a background check provided for and paid by the employing agency. Dispatch center must have standard operating procedures in place for handling all calls and providing for multiple means of communication with Montgomery County Government and the Montgomery County Emergency Medical Service. A back-up or emergency radio and electrical generation system must be in place at the dispatch center and available for use at all times. If any call is received by an authorized provider's dispatch center that potentially meets the definition of an "Emergency Medical Condition" the provider shall immediately direct the caller to hang up and dial 911. All calls and radio transmissions received through an authorized company's dispatch center shall be recorded by a digitized recording system, maintained for a minimum of 3 years and shall be subject to inspection upon request from the Montgomery County Emergency Medical Services Director or designee.

**SECTION XXVI: Local Business Office**

Each service authorized and currently operating in Montgomery County must provide a local business office in Montgomery County open to the public between the hours of 9:00 A.M. and 5:00 P.M. for the purpose of paying bills, acceptance of complaints and conducting business with the company. The address and phone number of the local Montgomery County office shall appear in any advertising, billing information or company brochure distributed or addressed for delivery in Montgomery County.

**SECTION XXVII: Medicare Approved**

Each authorized ambulance service, or service operating in Montgomery County must be Medicare enrolled and currently approved to provide Medicare reimbursable services. The current Medicare provider number shall be on prominent display in the public portion of the business office of the service at all times the office is open to the public. All services shall be setup to complete

electronic billing for Medicare approved patients and shall be able to provide copies of Medicare and other insurance billings to the patient upon request.

**SECTION XXVIII: Penalties**

Violations of this Resolution are enforceable in General Sessions, Chancery or Circuit Courts of Montgomery County. All violations of this Resolution shall be reported immediately to the Montgomery County Emergency Medical Service Director for review and enforcement action. Convictions for violations of this Resolution may carry possible license suspension, revocation or monetary civil fines, remedial and restitutorial in nature, not to exceed five-hundred dollars (\$500.00) or punitive fines not to exceed fifty dollars (\$50.00), without trial by jury, for each offense the violator is convicted thereof. Each particular definable offense or each day a continuing offense is allowed to continue constitutes a separate and enforceable act.

**SECTION XXIX: Conflict with Other Laws**

If a particular provision of this Resolution conflicts with a provision of federal or state law, the federal or state law shall be controlling with regard to that particular provision in conflict only. Prior provisions of past county resolutions in conflict with any particular provision contained herein are hereby repealed, and this Resolution should be considered the controlling document with regard to the subject matter covered.

**SECTION XXX: Severability**

If any section, subsection, sentence, clause, phrase or portion of this Resolution is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such language or portion shall be deemed a separate, distinct, and independent provision and such holding shall not affect the validity or the remaining portions thereof, unless so noted by the court.

**SECTION XXXI: Effective Date**

This Resolution shall take effect immediately, the public welfare requiring it.

**Duly passed and approved this 12<sup>th</sup> day of October, 2009.**

**Sponsor** \_\_\_\_\_

**Commissioner** \_\_\_\_\_

**Approved** \_\_\_\_\_

**County Mayor**

**Attested** \_\_\_\_\_

**County Clerk**

**RESOLUTION TO ACCEPT BLOCK GRANT FUNDS FROM THE BUREAU OF JUSTICE, ASSISTANCE OF THE UNITED STATES DEPARTMENT OF JUSTICE**

**WHEREAS**, the United States Department of Justice, Bureau of Justice Assistance has granted \$59,271.00 for fiscal year 2010 for various projects including the acquisition, installation and licensing of an automated license plate reader; evidence storage drop box; and contracted services to maintain the sexual offender registry; and

**WHEREAS**, the implementation of these projects will enhance the ability of the Sheriff's Office to more readily indentify stolen vehicles, plates and wanted persons, as well as better secure collected evidence; and

**WHEREAS**, the use of contracted services will result in better utilization of enforcement personnel in monitoring, tracking, and maintaining compliance with the terms and conditions of the offender's status and enhance the performance of investigators in the discharge of their duties.

**NOW, THEREFORE, BE IT RESOLVED** by the Montgomery County Board of Commissioners meeting this the 12<sup>th</sup> day of October, 2009, that:

**SECTION 1.** Montgomery County hereby accepts \$59,271.00 from the United States Department of Justice, Bureau of Justice Assistance for the purposes herein stated and detailed below:

ALPR 3-camera system	\$42,500.00
Required License for Boss System	\$ 995.00
Evidence Drop Box 4th Floor CI	\$ 225.00
Part-time Contracted Service for Sex Offender Registry	<u>\$15,551.00</u>
<b>Total</b>	<b>\$59,271.00</b>

(July 1, 2010-Till Expended)

**SECTION 2.** There is no required match and no requirement that these projects be continued under the terms of the block grant at its expiration.

This resolution shall take effect upon its adoption.

**Dated this the 12<sup>th</sup> day of October, 2009.**

**Sponsor** \_\_\_\_\_

**Commissioner** \_\_\_\_\_

**Approved** \_\_\_\_\_  
**County Mayor**

**Attested** \_\_\_\_\_  
**County Clerk**

**RESOLUTION TO ACCEPT A RECOVERY ACT EDWARD BYRNE MEMORIAL  
JUSTICE ASSISTANCE GRANT FUNDS FROM THE BUREAU OF JUSTICE  
ASSISTANCE OF THE UNITED STATES DEPARTMENT OF JUSTICE**

**WHEREAS**, the United States Department of Justice, Bureau of Justice Assistance has granted \$219,141.00 for fiscal year 2010 for the purpose enhancement of mobile data terminals, automatic vehicle location, field reporting, and contracted services to the sexual offender registry program; and

**WHEREAS**, the continued use and enhanced reporting capabilities of mobile data terminals will allow units in the field to better access vital computer information as well as provide real time reporting of information in the discharge of their duties; and

**WHEREAS**, much of the duties and responsibilities of registering and monitoring of convicted sex offenders, who are placed on the sexual offender registry, have been placed on local government. It is essential that the time of investigators be utilized on the streets and in the field rather than being consumed with clerical duties when these duties can be achieved with competent and capable contracted service personnel.

**NOW, THEREFORE, BE IT RESOLVED** by the Montgomery County Board of Commissioners, meeting this the 12<sup>th</sup> day of October, 2009, that:

**SECTION 1.** Montgomery County hereby accepts \$219,141.00 from the United States Department of Justice, Bureau of Justice Assistance for the purposes herein stated and as detailed below:

Contracted part-time personnel for Sex Offender Registry—53990	\$24,000.00
Monthly Service MDT's (for 24 months)--53070	\$54,622.00
Wireless Data Modem with GPS (44 units)-- 53070	\$12,320.00
External Antenna with GPS (46 units)--54990	\$ 5,520.00
Blackberry Service (for 24 months)--53070	\$13,440.00
Field Incident Reporting Server, hardware, software, & implementation--57090	<u>\$109,239.00</u>
<b>Total</b>	<b>\$219,141.00</b>

**SECTION 2.** Recovery Act grant audit requirements specify using new and unique accounting and budgeting major category codes. This grant will be accounted for in the following fund, department sequence: 101-58803-00000-58, in conjunction with the object code listed above.

**SECTION 3.** There is no required match and no requirement that these projects be continued under the terms of the grant at its expiration.

This resolution shall take effect upon its adoption.

**Dated this the 12<sup>th</sup> day of October 2009.**

**Sponsor** \_\_\_\_\_

**Commissioner** \_\_\_\_\_

**Approved** \_\_\_\_\_

**County Mayor**

**Attested** \_\_\_\_\_

**County Clerk**



**RESOLUTION TO ACCEPT GRANT FUNDS FROM THE STATE OF TENNESSEE,  
DEPARTMENT OF AGRICULTURE, FORESTRY DIVISION**

**WHEREAS**, the State of Tennessee Department of Agriculture, Forestry Division has granted \$15,100.00 for fiscal year 2010 for tree planting at Saint Bethlehem Civitan Park including the acquisition and installation of trees and acknowledgement signage; and

**WHEREAS**, the implementation of this project will improve air quality, reduce temperatures, control water run-off and erosion, provide noise reduction and wind control, provide animal habitat and enhance the aesthetic aspects of Saint Bethlehem Civitan Park; and

**WHEREAS**, the use of contracted services will provide utilization of specialized equipment needed for transporting and planting trees.

**NOW, THEREFORE, BE IT RESOLVED** by the Montgomery County Board of Commissioners meeting this the 12<sup>th</sup> day of October, 2009, that:

**SECTION 1.** Montgomery County hereby accepts \$15,100.00 into the Saint Bethlehem Civitan Park budget from the State of Tennessee Department of Agriculture, Division of Forestry for the purposes herein stated.

**SECTION 2.** There is no required match.

This resolution shall take effect upon its adoption.

**Dated this the 12<sup>th</sup> day of October, 2009.**

**Sponsor** \_\_\_\_\_

**Commissioner** \_\_\_\_\_

**Approved** \_\_\_\_\_

**County Mayor**

**Attested** \_\_\_\_\_

**County Clerk**