

CALL TO ORDER

RECOGNITION – Jimmie Edwards/Sheriff Fuson

CITIZENS TO ADDRESS THE COMMISSION

1. Rev. Greg Glover – Proposed Civic Square
2. Mr. Jack Turner – Support of Civic Plaza
3. President Alisa White – APSU's support of downtown development

PRESENTATION – John Patterson – Airport Video

PUBLIC HEARING REGARDING ZONING

CZ-10-2015: Application of James W. Allen from R-1 to C-5

CZ-11-2015: Application of William R. Dyer from R-1 to C-5

CLOSE PUBLIC HEARING

RESOLUTIONS

- 15-8-1:** Resolution to Adopt an Interlocal Agreement Between the City of Clarksville and Montgomery County for Joint Funding from the Bureau of Justice Assistance of the United States Department of Justice on a Joint Award of Federal Byrne Justice Assistance Grant Funds
- 15-8-2:** Resolution Authorizing the Acceptance and Permission to Spend Grant Funds from the Kresge Foundation for the Montgomery County Health Department
- 15-8-3:** Resolution of the Montgomery County Board of Commissioners Authorizing the Acceptance of Grant Funds from the Tennessee Department of Children's Services Family Intervention Services Program
- 15-8-4:** Resolution to Appropriate Local Matching Funds for a Federal Grant to Perform Construction on Runway 17/35 and Associated Taxi-Way at the Clarksville Regional Airport Outlaw Field
- 15-8-5:** Resolution to Purchase Property for the Construction of a Civic Plaza
- 15-8-6:** Resolution to Accept a Donation from the Clarksville Civitan Club to Help Construct an ADA Sidewalk at Rotary Park

- 15-8-7:** Resolution to Change the Commencement Hour of the Monthly County Commission Meetings
- 15-8-8:** Resolution to Accept Grant Funds for the Enhancement of Services Provided by the University of Tennessee Agricultural Extension/Montgomery County Commercial Kitchen
- 15-8-9:** Resolution Consolidating Legal Service and Fees
- 15-8-10:** Resolution to Allow Montgomery County to Enter Into Mutually Beneficial Purchasing Inter-Local Agreements with Fort Campbell Agencies
- 15-8-11:** Resolution Relative to Motor Vehicle Racing
- 15-8-12:** Resolution to Accept a Grant from the State of Tennessee Department of Transportation for a Cumberland River Waterway Intermodal Facility
- 15-8-13:** Resolution to Establish Tax Incremental Financing (TIF) **(will need approval to suspend the rules to add to agenda)**

REPORTS

1. County Mayor Appointments – Mayor Jim Durrett

REPORTS FILED

1. Minutes from July 13, 2015 meeting
2. Capital Projects – Construction Update Report
3. Highway Dept. – Yearly Inventory List
4. Airport Quarterly Report

ANNOUNCEMENTS

1. American Red Cross Blood Drive, Tuesday, August 11 from 9:00 a.m. to 2:00 p.m. at the Civic Hall. Please see Elizabeth Black for an appointment.

ADJOURN

**RESOLUTION OF THE MONTGOMERY COUNTY BOARD OF
COMMISSIONERS
AMENDING THE ZONE CLASSIFICATION OF THE PROPERTY OF
WILLIAM R DYER**

WHEREAS, an application for a zone change from R-1 Single-Family Residential District to C-5 Highway & Arterial Commercial District has been submitted by William R Dyer and

WHEREAS, said property is identified as County Tax Map 39, parcel 22.00 p/o, containing 2.97 +/- acres, situated in Civil District 13, located Property located on the east frontage of Rollow Lane 1,600 +/- feet north of the Rossview Rd. & Rollow Lane intersection.; and

WHEREAS, said property is described as follows:

Beginning at an iron pin in the east right of way of Rollow Lane, being the northwest corner of the Cornerstone Worship Center property, also being the southwest of the herein described parcel, thence North 03 degrees 54 minutes 32 seconds East for 416.37 feet to a point; thence leaving Rollow Lane on a new zone line, South 85 degrees 23 minutes 28 seconds East for 315.81 feet to a point, lying in the west property line of the Cumberland Land Development property, also being the northeast corner of the herein described parcel; thence along the Cumberland Land Development west property line South 04 degrees 36 minutes 32 seconds West for 410.21 feet to the Cornerstone Worship Center north property line, also being the southeast corner of herein described parcel; thence North 86 degrees 31 minutes 13 seconds West for 310.79 feet to the point of beginning, containing 2.97 +/- acres, further identified as (Tax Map 39, Parcel 22.00 p/o)

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 10th day of August, 2015, that the zone classification of the property of William R Dyer from R-1 to C-5 is hereby approved.

Duly passed and approved this 10th day of August, 2015.

Sponsor _____
Commissioner _____
Approved _____
County Mayor

Attested: _____
County Clerk

**RESOLUTION OF THE MONTGOMERY COUNTY BOARD OF
COMMISSIONERS
AMENDING THE ZONE CLASSIFICATION OF THE PROPERTY OF
JAMES W ALLEN**

WHEREAS, an application for a zone change from R-1 Single-Family Residential District to C-5 Highway & Arterial Commercial District has been submitted by James W Allen and

WHEREAS, said property is identified as County Tax Map 53, parcel 31.00, containing 6.1 acres, situated in Civil District 13, located Property on the north frontage of Dover Rd. located 1,575 +/- feet east of the Dover Rd. & Liberty Church Rd. intersection.; and

WHEREAS, said property is described as follows:

Beginning at a 1/2" iron rod set lying on the north margin of SR 76 being Schlerintzaver southeast corner and this tracts southwest corner and the true point of beginning, thence leaving the road and with the Schlerintzaver and with the center of the ditch the following 5 call's North 11 degrees 23 minutes 37 seconds West for a distance of 203.60 feet; thence North 09 degrees 10 minutes 28 seconds West for a distance of 117.31 feet; thence North 01 degree 33 minutes 47 seconds West for a distance of 282.53; thence leaving Schlerintzaver and with Parr and continuing with the center of the ditch North 01 degree 15 minutes 30 seconds East for a distance of 76.81 feet; thence , North 10 degrees 21 minutes 44 seconds East for a distance of 143.86 feet to a 1" Steel Eye Bar in the center of the ditch; thence leaving Parr and ditch and with the J & N Inc. property North 64 degrees 55 minutes 44 seconds East for a distance of 34.98 feet to a magnetic nail found on root of 30" Ash Tree; thence, South 87 degrees 12 minutes 27 seconds East for a distance of 123.28 feet to a 1/2" iron rod found; thence North 89 degrees 57 minutes 07 seconds East for a distance of 157.37 feet to a 1" steel eye bar at fence corner; thence South 00 degrees 36 minutes 51 seconds East for a distance of 324.49 feet to a 1/2" iron rod found; thence, leaving J & N Inc. and with Tatuli and generally following the meanders of a fence South 00 degrees 17 minutes 18 seconds East for a distance of 477.08 feet to a 1/2" iron rod set lying on the north margin of the Road; thence with the north margin of Road South 85 degrees 10 minutes 45 seconds West for a distance of 279.99 feet to the Point of Beginning; containing 6.1 +/- acres further identified as (Tax Map 53, Parcel 31.00)

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 County Commissioners assembled in regular session on this 10th day of August, 2015, that the zone classification of the property of James W Allen from R-1 to C-5 is hereby approved.

Duly passed and approved this 10th day of August, 2015.

Sponsor David A. Rippe
Commissioner Joe Smith
Approved _____
County Mayor

Attested: _____
County Clerk

RESOLUTION TO ADOPT AN INTERLOCAL AGREEMENT BETWEEN THE CITY OF CLARKSVILLE AND MONTGOMERY COUNTY FOR JOINT FUNDING FROM THE BUREAU OF JUSTICE ASSISTANCE OF THE UNITED STATES DEPARTMENT OF JUSTICE ON A JOINT AWARD OF FEDERAL BYRNE JUSTICE ASSISTANCE GRANT FUNDS

WHEREAS, the United States Department of Justice Bureau of Justice Assistance has granted \$56,323.00 for fiscal year 2016 to be divided equally between the City of Clarksville and Montgomery County for various projects including the monthly service for mobile data terminals and associated wireless data equipment; and

WHEREAS, the amount awarded to Montgomery County of \$28,161.00 will support the continued use of mobile cellular data devices resulting in deputies being able to access essential information in the performance of their duties while in the field.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of Montgomery County, Tennessee, meeting this the 10th day of August, 2015, that:

SECTION 1. Montgomery County hereby accepts \$28,161.00 from the United States Department of Justice, Bureau of Justice Assistance for the purposes herein stated and detailed in the MOU between the City of Clarksville and Montgomery County.

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.

Duly passed and approved this 10th day of August, 2015.

Sponsor _____

[Handwritten Signature] for
John S. Jovan

Commissioner _____

Joe / Auck

Approved _____

County Mayor

Attest _____

County Clerk

GMS APPLICATION NUMBER 2015-⁴⁸⁷¹H2432-TN-DJ

**INTERLOCAL AGREEMENT BETWEEN THE CITY OF CLARKSVILLE, TN and
THE COUNTY OF MONTGOMERY, TN
REGARDING THE
2015 BYRNE JUSTICE ASSISTANCE GRANT (JAG) PROGRAM AWARD**

This Agreement is made and entered into this 12 day of June, 2015, by and between The COUNTY of Montgomery acting by and through its governing body, the County Commission, hereinafter referred to as COUNTY, and the CITY of Clarksville acting by and through its governing body, the City Council, hereinafter referred to as CITY, both of Montgomery County, State of Tennessee, witnesseth:

WHEREAS, a combined, disparate allocation of funds of \$56,323 from the JAG Program to the CITY and the COUNTY establishes the need for a joint JAG Program Award Application, and

WHEREAS, each governing body, in performing governmental functions or in paying for the performance of governmental functions hereunder, shall make that performance or those payments from current revenues legally available to that party; and

WHEREAS, each governing body finds that the performance of this Agreement is in the best interests of both parties, that the undertaking will benefit the public, and that the division of costs fairly compensates the performing party for the services or functions under this agreement; and

WHEREAS, the CITY agrees to provide the COUNTY \$28,161 from the JAG award for the Law Enforcement Program; and

WHEREAS, the CITY and COUNTY believe it to be in their best interests to reallocate the JAG funds,

NOW THEREFORE, the COUNTY and CITY agree as follows:

Section 1.

CITY agrees to reimburse COUNTY a total of \$28,161 based upon expenditure records.

Section 2.

COUNTY agrees to use \$28,161 for the Law Enforcement Program no later than September 30, 2018.

Section 3.

Nothing in the performance of this Agreement shall impose any liability for claims against COUNTY other than claims for which liability may be imposed by the Tennessee Governmental Tort Liability Act.

Section 4.

Nothing in the performance of this Agreement shall impose any liability for claims against CITY other than claims for which liability may be imposed by the Tennessee Governmental Tort Liability Act.

GMS APPLICATION NUMBER 2015-H2432-TN-DJ ⁴⁰⁷¹

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Section 5.

The CITY shall serve as Applicant and Fiscal Agent for the 2015 JAG Program Application, shall advise the COUNTY of balance available information on a periodic basis, and shall prepare all reports. The COUNTY shall submit claims/requests for distribution of COUNTY share of funds to the CITY for payment processing and provide such summary information as may be required for periodic reports.

Section 6.

Each party to this agreement will be responsible for its own actions in providing services under this agreement and shall not be liable for any civil liability that may arise from the furnishing of the services by the other party.

Section 7.

The parties to this Agreement do not intend for any third party to obtain a right by virtue of this Agreement.

Section 8.

By entering into this Agreement, the parties do not intend to create any obligations express or implied other than those set out herein; further, this Agreement shall not create any rights in any party not a signatory hereto.

Section 9.

This interlocal agreement will become effective upon adoption of enabling resolutions by the governing bodies of both the County and the City, at which time the applicant shall proceed to accept the JAG grant award.

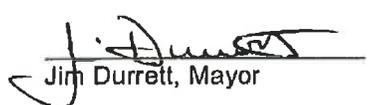
For the CITY OF CLARKSVILLE, TN:

WMB

Kim McMillan, Mayor

6/12/15
Date

For the COUNTY OF MONTGOMERY, TN


Jim Durrett, Mayor

6/9/15
Date

GMS APPLICATION NUMBER 2015-H⁴⁰⁷¹2432-TN-DJ

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THE COUNTY OF MONTGOMERY, TN
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WHEREAS, a combined, disparate allocation of funds of \$56,323 from the JAG Program to the CITY and the COUNTY establishes the need for a joint JAG Program Award Application, and

WHEREAS, each governing body, in performing governmental functions or in paying for the performance of governmental functions hereunder, shall make that performance or those payments from current revenues legally available to that party: and

WHEREAS, each governing body finds that the performance of this Agreement is in the best interests of both parties, that the undertaking will benefit the public, and that the division of costs fairly compensates the performing party for the services or functions under this agreement: and

WHEREAS, the CITY agrees to provide the COUNTY \$28,161 from the JAG award for the Law Enforcement Program; and

WHEREAS, the CITY and COUNTY believe it to be in their best interests to reallocate the JAG funds,

NOW THEREFORE, the COUNTY and CITY agree as follows:

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GMS APPLICATION NUMBER 2015-H⁴⁰⁷¹2432-TN-DJ

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Section 7.

The parties to this Agreement do not intend for any third party to obtain a right by virtue of this Agreement.

Section 8.

By entering into this Agreement, the parties do not intend to create any obligations express or implied other than those set out herein; further, this Agreement shall not create any rights in any party not a signatory hereto.

Section 9.

This interlocal agreement will become effective upon adoption of enabling resolutions by the governing bodies of both the County and the City, at which time the applicant shall proceed to accept the JAG grant award.

For the CITY OF CLARKSVILLE, TN:

^{WMB} 
Kim McMillan, Mayor

6/12/15
Date

For the COUNTY OF MONTGOMERY, TN


Jim Durrett, Mayor

6/9/15
Date

**RESOLUTION OF THE MONTGOMERY COUNTY BOARD OF COMMISSIONERS AUTHORIZING
THE ACCEPTANCE OF GRANT FUNDS FROM THE TENNESSEE DEPARTMENT OF
CHILDREN'S SERVICES FAMILY INTERVENTION SERVICES PROGRAM**

WHEREAS, the Tennessee Department of Children's Services (DCS) has awarded Montgomery County Juvenile Court a cost reimbursement base grant award to fund child and family intervention services, referred to as the Family Intervention Services Program, effective July 1, 2015 through June 30, 2016; and

WHEREAS, the total grant contract award from DCS amounts to \$70,929.00; per the agreement it is one hundred percent (100%) grant funded, requiring no local match dollars during the allocation period.

NOW, THEREFORE, BE IT RESOLVED by the Montgomery County Board of Commissioners assembled in Regular Session on this 10th day of August, 2015, that Montgomery County accept the grant in the amount of \$70,929.00 to fund the Family Interventions Services Program; and

BE IT FURTHER RESOLVED that the County Mayor is authorized to execute an agreement and other necessary documents required to signify acceptance of grant funds from the Tennessee Department of Children's Services. Upon receipt of the fully executed grant agreement, the Director of Accounts and Budgets shall establish the necessary fund accounts providing for related revenues and expenditures stated in the contract, this resolution intends to have the effect of appropriation to that purpose accordingly.

SECTION 1. Montgomery County hereby accepts the grant award from the Tennessee Department of Children's Services for the purpose herein stated and as detailed below:

REVENUE	101-54240-00000-54-46110-G5234	\$70,929
INSTRUCTOR/CASE MGR	101-54240-00000-54-51110-G5234	\$40,134
SOCIAL SECURITY	101-54240-00000-54-52010-G5234	\$2,423
MEDICARE	101-54240-00000-54-52120-G5234	\$567

LIFE INSURANCE	101-54240-00000-54-52060-G5234	\$53
STATE RETIREMENT	101-54240-00000-54-52040-G5234	\$5,547
COMMUNICATION	101-54240-00000-54-53070-G5234	\$1,000
OTHER CONTRACTED SVCS	101-54240-00000-54-53990-G5234	\$500
TRAVEL	101-54240-00000-54-53550-G5234	\$1,517
TUITION	101-54240-00000-54-53560-G5234	\$2,756
OTHER SUPPLIES, MATERIALS	101-54240-00000-54-54990-G5234	\$9,132
WORKERS COMP	101-54240-00000-54-55130-G5234	\$500
EQUIPMENT	101-54240-00000-54-57990-G5234	\$6,800
	TOTAL	\$70,929

Duly passed and approved this 10th day of August, 2015.

SPONSOR *Larry Row*

COMMISSIONER *Joe / Aub*

APPROVED _____
County Mayor

Attested _____
County Clerk

**RESOLUTION TO APPROPRIATE LOCAL MATCHING FUNDS FOR A
FEDERAL GRANT TO PERFORM CONSTRUCTION ON RUNWAY
17/35 AND ASSOCIATED TAXI-WAY AT THE CLARKSVILLE
REGIONAL AIRPORT OUTLAW FIELD**

WHEREAS, the Clarksville Regional Airport will be awarded federal discretionary funding in the amount of \$10,000,000.00 through the Tennessee Department of Transportation – Aeronautics Division, to be utilized for the designed runway overlay project; and

WHEREAS, the scope of work to be performed at the Clarksville Regional Airport will include a runway deviation of standards dip repair on 17/35 to FAA standards, a 300 foot runway centerline to taxiway centerline relocation to FAA C-II standards, runway overlay to replace deteriorating surface, correct flight side runway and taxiway markings and signage with new, and relight runway 17/35 including associated taxiway and apron area with LED airfield lighting; and

WHEREAS, the City of Clarksville and Montgomery County local governments jointly and equally fund the Clarksville Regional Airport Authority; and

WHEREAS, the funding will require a 5% match in the amount of \$500,000.00 to be funded equally by the County and the City of Clarksville; and

WHEREAS, the County of Montgomery's equal share of the matching funds is 2.5% in the amount of \$250,000.00 and matched by the City of Clarksville's 2.5% in the amount of \$250,000.00; and

WHEREAS, the required match is one time funding with no continuing dispersal of County Funds related to the Project.

NOW THEREFORE BE IT RESOLVED, by the Montgomery County Board of Commissioners, assembled in regular business session this 10th day of August, 2015, that the appropriation budget for the Montgomery County General Capital Projects Fund be increased by \$250,000.00 to meet the funding requirements to obtain the Federal Discretionary Funds through the Tennessee Department of Transportation Department – Aeronautics Division.

Duly passed and approved this 10th day of August, 2015.

Sponsor _____

Commissioner _____

Approved _____

County Mayor

Attested _____

County Clerk

**RESOLUTION TO PURCHASE PROPERTY FOR THE
CONSTRUCTION OF A CIVIC PLAZA**

WHEREAS, Montgomery County has the opportunity to purchase the property located at 215 Legion Street, Clarksville, Tennessee, known as the Bank of America building and desires to purchase adjacent property known as Regions Bank, and the Better Business Bureau building; and

WHEREAS, the estimated price to purchase above mentioned property, demolish, site work, design, construction and completion of a Civic Plaza is \$7,000,000; and

WHEREAS, in the event the City of Clarksville chooses to partner with Montgomery County with this project, then the City of Clarksville and Montgomery County will enter into an all inclusive Interlocal Agreement or individual agreements for the purchase, demolition, design, construction and day-to-day maintenance and operations, which may be considered phases of this project; and

WHEREAS, Montgomery County will add this project to the capital projects list for 2016 budget year and can efficiently handle the incurrence of debt associated with this project; and

WHEREAS, the aforementioned park will be for public use for all citizens of Montgomery County and surrounding area.

NOW, THEREFORE, BE IT RESOLVED by the Montgomery County Board of Commissioners assembled in Regular Session on this 10th day of August, 2015, that the 2016 capital projects budget in hereby amended.

Duly passed and approved this 10th day of August, 2015.

Sponsor  _____

Commissioner  _____

Approved _____
County Mayor

Attested _____
County Clerk

RESOLUTION TO ACCEPT A DONATION FROM THE CLARKSVILLE CIVITAN CLUB TO HELP CONSTRUCT AN ADA SIDEWALK AT ROTARY PARK

WHEREAS, the Montgomery County Parks & Recreation Department would like to accept a donation from the Clarksville Civitan Club to help with an ADA sidewalk at Rotary Park; and

WHEREAS, the Clarksville Civitan Club has agreed to donate to the Montgomery County Parks & Recreation Department the sum of \$1,540.00 toward the purchase price of the sidewalk; and

WHEREAS, the Montgomery County Engineer will oversee the receiving and installation of said sidewalk at Rotary Park.

NOW, THEREFORE, BE IT RESOLVED by the Montgomery County Board of Commissioners meeting in regular session on this 10th day of August, 2015, that this legislative body agrees to accept the monetary donation of \$1,540.00 from the Clarksville Civitan Club for the specific purpose of helping construct an ADA sidewalk at Rotary Park.

SECTION 1. Montgomery County hereby accepts the following donation for the purpose herein stated and as detailed below:

DONATIONS	171-91150-00000-91-48160-P0902	\$1,540.00
OTHER CONSTRUCTION	171-91150-00000-91-57910-P0902	\$1,540.00

Duly passed and approved this 10th day of August, 2015.

Sponsor 
 Commissioner 
 Approved _____
 County Mayor

Attested _____
 County Clerk

**RESOLUTION TO CHANGE THE COMMENCEMENT HOUR OF
THE MONTHLY COUNTY COMMISSION MEETINGS**

WHEREAS, according to Tennessee Code Annotated (TCA) §5-5-104, the county legislative body is required to meet at least four times annually at a time and place established by resolution of the county legislative body; and

WHEREAS, currently the legislative body meets the first and second Monday of each month unless such Monday falls on a holiday, and in the event that happens the meeting would be held on Tuesday of same week. The commission meetings commencement hour is currently at 7:00 p.m. but effective with the August 3, 2015 commission meeting, all commission meetings, unless otherwise posted, will begin at 6:00 p.m.

NOW, THEREFORE BE IT RESOLVED by the Montgomery County Board of Commissioners assembled in Regular Session on this 10th day of August, 2015, that the commencement hour of all county commission meetings, unless otherwise posted, will be 6:00 p.m., effective August 3, 2015.

Duly passed and approved this 10th day of August, 2015.

Sponsor



Commissioner



Approved

County Mayor

Attested

County Clerk

**RESOLUTION TO ACCEPT GRANT FUNDS FOR THE ENHANCEMENT
OF SERVICES PROVIDED BY THE UNIVERSITY OF TENNESSEE
AGRICULTURAL EXTENSION/MONTGOMERY COUNTY
COMMERCIAL KITCHEN**

WHEREAS, the University of Tennessee Agricultural Extension Service is a state-wide educational organization that brings research-based information about agriculture, family, and consumer sciences and resource development to the people of Tennessee; and

WHEREAS, the University of Tennessee Agricultural Extension/Montgomery County Commercial Kitchen, located at 1030-A Cumberland Heights Road, Clarksville, TN, 37040, was equipped via a combination of funds from Montgomery County Government and the United States Department of Agriculture Rural Development; and

WHEREAS, the purpose of this certified kitchen facility is to assist entrepreneurs and new business owners in Montgomery and surrounding counties in creating a food product for resale; and

WHEREAS, the County has applied for and has been awarded a USDA Rural Business Development Grant (CFDA #10.351) in the amount of \$18,820.00 to assist in the further development of this facility.

NOW, THEREFORE, BE IT RESOLVED by the Montgomery County Board of Commissioners meeting this the 10th day of August, 2015, that:

SECTION 1. Montgomery County hereby accepts the USDA Rural Business Development Grant in the amount of \$18,820.00 to equip the certified kitchen facility:

USDA OTHER	101-57100-00000-57-47114-G1610	\$18,820.00
OTHER EQUIPMENT	101-57100-00000-57-57900 -G1610	\$18,820.00

SECTION 2. There is no required match and no requirement that this project be continued under the terms of the grant at its expiration.

Duly passed and approved this the 10th day of August, 2015.

Sponsor 
 Commissioner 
 Approved _____
 County Mayor

Attested _____
 County Clerk

RESOLUTION CONSOLIDATING LEGAL SERVICE AND FEES

WHEREAS, currently multiple departments have a line item in their budget for attorneys fees and services; and

WHEREAS, Timothy Harvey, County Attorney for Montgomery County, Tennessee, receives inquiries and assistance requests from multiple departments; and

WHEREAS, on July 2, 2015, the Loss Control Committee met and recommended that in an effort to be more efficient and financially responsible, all legal fees and services should be moved from multiple departmental legal fees line item and consolidated under the County Attorney legal fees line item, account code 51400; and

WHEREAS, Accounts & Budgets will move such appropriations from the County departments budgets as detailed below:

HUMAN RESOURCES	101-51310-00000-51-53310	(\$ 1,300.00)
REGISTER OF DEEDS	101-51600-00000-51-53310	(\$ 600.00)
CODES COMPLIANCE	101-51750-00000-51-53310	(\$ 2,000.00)
PURCHASING	101-52200-00000-52-53310	(\$ 50.00)
SHERIFF'S DEPARTMENT	101-54110-00000-54-53310	(\$ 12,500.00)
RABIES & ANIMAL CNTL	101-55120-00000-55-53310	(\$ 1,000.00)
AMBULANCE SERVICE	101-55130-00000-55-53310	(\$ 1,500.00)
COUNTY ATTORNEY	101-51400-00000-51-53310	(\$ 18,950.00)

NOW, THEREFORE, BE IT RESOLVED by the Montgomery County Board of Commissioners meeting in regular session on this the 10th day of August, 2015, that all legal fees and services be consolidated under the County Attorney line item, account code 51400.

Duly passed and approved this the 10th day of August, 2015.

Sponsor

Joe Aurb

Commissioner

Joe Aurb

Approved

County Mayor

Attested

County Clerk

RESOLUTION TO ALLOW MONTGOMERY COUNTY TO ENTER INTO MUTUALLY BENEFICIAL PURCHASING INTERLOCAL AGREEMENTS WITH FORT CAMPBELL AGENCIES

WHEREAS, there are cost savings to be had for both parties with larger volume and additional vendors available when combining the purchasing power between Department of Defense (DOD) agencies located on Fort Campbell military installation and Montgomery County Government; and

WHEREAS, Montgomery County Government wishes to enter into mutually beneficial purchasing inter-local agreements with Fort Campbell agencies; and

WHEREAS, the initial agreement will be between the Fort Campbell Department of Public Works and Montgomery County Government to allow Ft Campbell Department of Public Works the ability to purchase road salt from same contract as Montgomery County Government; and

WHEREAS, this resolution will allow additional agreements on a go forward basis that will benefit both parties.

NOW, THEREFORE, BE IT RESOLVED by the Montgomery County Board of Commissioners assembled in Regular Session on this 10th day of August, 2015, that the County Mayor is authorized to enter into mutually beneficial purchasing inter-local agreements with Fort Campbell agencies.

Duly passed and approved this 10th day of August, 2015.

Sponsor 
Commissioner 
Approved _____
County Mayor

Attested _____
County Clerk

RESOLUTION RELATIVE TO MOTOR VEHICLE RACING

WHEREAS, effective July 1, 2015, Tennessee race tracks and drag strips will no longer register with the Tennessee Department of Commerce and Insurance's (TDCI) Division of Regulatory Boards; and

WHEREAS, the Tennessee Legislature approved Public Chapter No. 354 (SB0480/HB0763) removing TDCI's regulation of race tracks; instead, race track owners must provide proof of insurance to the county clerk of the county where a motor vehicle race is conducted; and

WHEREAS, Tennessee Code Annotated (TCA), Title 55, Chapter 22 has been amended as follows:

55-22-101.

(a) No person, firm, or corporation shall operate or conduct any motor vehicle races on any permanent race track or other place for the holding of a motor vehicle race upon which motor vehicles of any description are raced, unless the applicant has insurance for the general public with minimum limits of one hundred thousand dollars (\$100,000) per person and three hundred thousand dollars (\$300,000) per accident or three hundred thousand dollars (\$300,000) combined single limit, for loss because of bodily injury, including death at any time resulting from such bodily harm caused to any person or persons by the operation of the track or other place; provided, that this insurance shall not be applicable to:

- (1) Drivers;
- (2) Pit area personnel;
- (3) All persons involved in the conduct of any motor vehicle race; or
- (4) Any persons involved with the race who have signed a written release of liability.

(b) Satisfaction by the insured of a final judgment for injury shall not be a condition precedent to the duty of the insurer to make payment on account of the injury.

(c) The county clerk of the county where a motor vehicle race is conducted shall:

- (1) Verify the person, firm, or corporation operating or conducting a motor vehicle race has insurance as prescribed in subsection (a); and
- (2) Issue documentation to the person, firm, or corporation confirming that the requirements of subdivision (c)(1) have been met.

55-22-102. A county legislative body shall have the authority to:

- (1) Provide for the times, dates, and conditions under which motor vehicle races shall be conducted; and
- (2) Establish any other rule relative to the regulation and licensure of automobile race tracks that the county legislative body deems prudent and advisable.

55-22-103. The practice of participants in motor racing events of releasing the promoters thereof from liability and of assuming liability for any injuries sustained is expressly approved.

55-22-104. A violation of § 55-22-101 is a Class A misdemeanor.

55-22-105.

(a) (1) In any county that is a tourist resort county, motor vehicle racing may be permitted on not more than three (3) days a week. If racing is conducted for three (3) days a week, one (1) of the days shall be Sunday.

(2) for the purpose of this section, "tourist resort county" means any county having two (2) or more municipalities in which at least forty percent (40%) of the assessed valuation of the real property in those municipalities consists of hotels, motels, restaurants, and similar businesses serving traveling persons as shown by the tax assessment records of the county.

(b) (1) No racing shall be conducted after eleven o'clock p.m. (11:00 p.m.). At the conclusion of a racing event, the track management shall encourage all participants and patrons to vacate the premises by not later than eleven-thirty p.m. (11:30 p.m.).

(2) No racing shall be conducted on a Sunday except between twelve o'clock (12:00) noon and six o'clock (6:00 p.m.). At the conclusion of a Sunday racing event, the track management shall encourage all participants and patrons to vacate the premises by not later than six-thirty p.m. (6:30 p.m.).

WHEREAS, the county legislative body has the authorization to regulate and license race tracks and establish insurance requirements. The rules and regulations for the county will coincide with the rules and regulations adopted by the City of Clarksville, and are subject to further resolutions regulating the same as allowed by law.

NOW, THEREFORE, BE IT RESOLVED by the Montgomery County Board of Commissioners assembled in Regular Session on this 10th day of August, 2015, that this legislative body adopt TCA Title 55, Chapter 22 as amended.

BE IT FURTHER RESOLVED that this legislative body adopt the city's rules and regulations that are subject to further resolutions regulating the same as allowed by law.

Duly passed and approved this 10th day of August, 2015.

Sponsor



Commissioner



Approved

County Mayor

Attested

County Clerk

requiring police notification and response per month, such incidences can be cited as separate and distinct infractions of the noise ordinance code, and can be subject to a fine of up to \$25 per occurrence as permitted by T.C.A. § 62-32-321(e).

(17) Race tracks.

(a) Except as otherwise provided below, all race tracks properly licensed and operating in the City of Clarksville that conducts recreational or competitive motor vehicle racing shall not conduct said racing between the hours of twelve (12) midnight and the following eight (8) a.m., or such other time as may be established within the City of Clarksville zoning code. At the conclusion of a racing event, the track owner(s) or management shall encourage all participants and patrons to vacate the premises by not later than one (1:00) a.m. of the day following the conclusion of any racing event at twelve (12) midnight.

(b) All race tracks properly licensed and operating in the City of Clarksville on or before the effective date of this ordinance that conducts recreational or competitive motor vehicle racing shall not conduct said racing between the hours of one-thirty (1:30) a.m. and the following eight (8) a.m. At the conclusion of a racing event, the track owner(s) or management shall encourage all participants and patrons to vacate the premises by not later than two (2:00) a.m.

Sec. 10-309 - Reserved.

Sec. 10-310 – Sound Amplification Devices on Public Property

(a) The use of loudspeakers or other sound amplification devices by private individuals, groups, businesses, organizations, associations, or non-governmental entities are prohibited on city owned property, except as provided for herein.

(1) Private persons, groups, businesses, organizations, associations, or non-governmental entities renting public parks or facilities may use loudspeakers or sound amplification devices on such city owned property upon receipt of a valid permit for such use issued by the city department of parks and recreation. An applicant desiring to use a loudspeaker or other sound amplification device on city owned property shall make application for a permit for such use at least ten (10) calendar days prior to the day of use, excluding the day of application, with the department of parks and recreation, using a form adopted for such purpose by the department, along with an application processing fee in an amount to be set by the department, but in no event greater than twenty-five dollars (\$25.00). The department of parks and recreation shall approve any timely submitted application, accompanied by the required processing fee, unless the proposed use of the loudspeaker or other sound amplification device will be likely to interfere with the use and

**RESOLUTION TO ACCEPT A GRANT FROM THE STATE OF TENNESSEE
DEPARTMENT OF TRANSPORTATION FOR A CUMBERLAND
RIVER WATERWAY INTERMODAL FACILITY**

WHEREAS, the Tennessee Department of Transportation (TDOT) wishes to enter into a grant contract by and between the State of Tennessee Department of Transportation, Montgomery County, RJ Corman Railroad Group, LLC and RJ Corman Intermodal Services, LLC in the amount of \$1,000,000.00 for the provision of a Cumberland River Waterway Intermodal Facility; and

WHEREAS, this is intended to be the first stage of a three phase grant with the total funding for this overall project projected to be \$7.2 million, of which \$6 million in funding projected to be from TDOT with the remaining funding from RJ Corman; and

WHEREAS, Montgomery County will bear no financial responsibility during construction nor any ongoing costs to operate the facility; and

WHEREAS, RJ Corman will be the prime contractor for the project and will be responsible for overseeing all environmental and design phases.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of Montgomery County, Tennessee, meeting this the 10th day of August, 2015, that Montgomery County accept \$1,000,000.00 from TDOT for the purposes herein stated.

Duly passed and approved this 10th day of August, 2015.

Sponsor 
Commissioner 
Approved _____
County Mayor

Attest _____
County Clerk

RESOLUTION TO ESTABLISH TAX INCREMENTAL FINANCING (TIF)

WHEREAS, Montgomery County wants to encourage retail development and development complimentary to same; and

WHEREAS, development and redevelopment increases the tax base by increasing property values; and

WHEREAS, Tennessee law allows for incentives that can be developed by Tax Incremental Financing (TIF); and

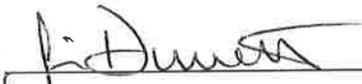
WHEREAS, TIF areas, projects, or development areas can be established under current State law with notice to the public.

NOW, THEREFORE, BE IT RESOLVED by the Montgomery County Board of Commissioners assembled in Regular Session on this 10th day of August, 2015, that the Budget Committee is authorized to establish a TIF Committee for the development of appropriate projects, districts, or areas that can be identified and established under applicable State law and to promulgate rules, outlines of procedures, and scope of grant incentives consistent with State law.

BE IT FURTHER RESOLVED that the Budget Committee shall appoint a subcommittee for the review, analysis and consideration of the same comprised of citizens and officials of the county for said purpose.

Duly passed and approved this 10th day of August, 2015.

Sponsor



Commissioner



Approved

County Mayor

Attested

County Clerk