

CALL TO ORDER

CITIZENS TO ADDRESS THE COMMISSION

Stephen Freeman – Property Issue

PUBLIC HEARING REGARDING ZONING

CZ-2-2014: Application of Thomas R. Meeks, from R-1 to C-2

RESOLUTIONS

- 14-3-1:** Resolution in Support of Fiscal Year 2014 THDA HOME Grant Application
- 14-3-2:** Resolution of the Montgomery County Board of Commissioners Approving Amendments to the 2013-14 School Budget
- 14-3-3:** Resolution Authorizing the Negotiation of a Contract with Greater Dickson Gas Authority to Provide Natural Gas Service to Southern Montgomery County
- 14-3-4:** Resolution of the Montgomery County Board of Commissioners Authorizing the Acceptance and Permission to Spend Grant Funds from the Tennessee Department of Health
- 14-3-5:** Resolution to Establish an Updated Occupational Safety and Health Program Plan, Devise Rules and Regulations, and to Provide for a Safety Director and the Implementation of Such a Program Plan

REPORTS

- 1. Carolyn Bowers – County Mayor Nominations
- 2. John Patterson - Airport Quarterly Report

REPORTS FILED

- 1. Minutes from February 10, 2014

ANNOUNCEMENTS

A motion to amend Resolution 13-10-7 (approving site location and development agreement for Hankook Tire) will be made to the legislative body at the Formal Commission meeting.

ADJOURN

**RESOLUTION OF THE MONTGOMERY COUNTY BOARD OF
COMMISSIONERS
AMENDING THE ZONE CLASSIFICATION OF THE PROPERTY OF
THOMAS R MEEKS**

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

WHEREAS, said property is identified as County Tax Map 78-E-A, parcel 11.00, containing 0.63 acres, situated in Civil District 13, located in the southwest corner of the Zinc Plant Rd. & Cumberland Heights Rd. intersection.; and

WHEREAS, said property is described as follows:

Beginning at an iron pin 30.0" off the center of Zinc Plant Road, being Bobby Baggett's Northeast corner, thence with Baggett South 05 degrees, 22' West-130.92' to an existing iron pin, thence with the fence line bordering Charlie Jones and John Potter South 86 degrees 18' East- 285.50' to an iron pin, 25.0' off the center of Cumberland Heights Road, thence with the Road R.O.W. North 8 degrees, East- 61.0' to an iron pin at the R.O.W. of Zinc Plant Road, thence with Zinc Plant Road R.O.W. North 72 degrees 33' 09" West- 294.71' to the beginning containing 0.63 +/- acres (Tax Map 078-E-A Parcel 11.00)

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 March, 2014, that the zone classification of the property of Thomas R Meeks from R-1 to C-2 is hereby approved.

Duly passed and approved this 10th day of March, 2014.

Sponsor David A. Pippel
Commissioner _____
Approved _____

County Mayor

Attested: _____
County Clerk

**RESOLUTION IN SUPPORT OF FISCAL YEAR 2014
THDA HOME GRANT APPLICATION**

WHEREAS, funds are available through the State of Tennessee, HOME Program; and

WHEREAS, Montgomery County wishes to improve housing within Montgomery County; and

WHEREAS, Montgomery County may apply for HOME funds in an amount not to exceed \$500,000.00.

NOW, THEREFORE, BE IT RESOLVED by the Montgomery County Board of Commissioners assembled in regular session on this the 10th day of March, 2014, that application be made for HOME funds for housing improvements, and that Carolyn Bowers, County Mayor, be authorized to sign the application and all assurances necessary to filing said application.

Duly passed and approved this 10th day of March, 2014.

Sponsor Carolyn Bowers

Commissioner Joe Cook

Approved _____
County Mayor

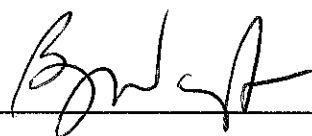
Attested _____
County Clerk

RESOLUTION OF THE MONTGOMERY COUNTY
BOARD OF COMMISSIONERS APPROVING
AMENDMENTS TO THE 2013-14
SCHOOL BUDGET

WHEREAS, the proposed amendments to the General Purpose School Fund, and Transportation Fund Budgets reflect the most recent estimates of revenues and expenditures, and,

WHEREAS, the Clarksville-Montgomery County Board of Education has studied the attached amendments and approved them on February 11, 2014, for recommendation to the Montgomery County Board of Commissioners.

NOW, THEREFORE, BE IT RESOLVED by the Montgomery County Board of County Commissioners assembled in Regular Business Session on this 10th day of March, 2014, that the 2013-14 School Budget be amended as per the attached schedules.

Sponsor 

Commissioner _____

Approved _____
County Mayor

Attested _____
County Clerk

Clarksville-Montgomery County School System General Purpose School Fund Budget

	2013-2014		Proposed Increase (Decrease)	Proposed Amended Budget	
	Original Budget	Current Amended Budget		Original Budget	Current Amended Budget

Estimated Revenues

Local Revenues

Current Property Tax	29,887,700	29,887,700	942,900	30,830,600	Based on YTD collections
Trustees Collection - Prior Years	1,000,000	1,000,000	(25,000)	975,000	Based on YTD collections
Trustees Collection - Bankruptcy	-	-	36,855	36,855	Based on YTD collections
Cir. CLK/CLK Master Coll	-	-	3,158	3,158	Based on YTD collections
Interest & Penalties	250,000	250,000	38,000	288,000	Based on YTD collections
Payments In Lieu of Taxes (Utility)	797,830	797,830	25,170	823,000	Based on YTD collections
Local Option Sales Tax	39,662,700	39,662,700	(800,000)	38,862,700	Based on YTD collections
Wheel Tax	4,124,000	4,124,000	(100,000)	4,024,000	Based on YTD collections
Business Tax	600,000	600,000	116,000	716,000	Based on YTD collections
Mixed Drink Tax	-	-	354,000	354,000	Based on YTD collections
Bank Excise Tax	50,000	50,000	25,000	75,000	Based on YTD collections
Interstate Telecommunications Tax	10,000	10,000	10,000	20,000	Based on YTD collections
Archives & Records Management Fee	6,300	6,300	2,200	8,500	Based on YTD collections
Tuition - Regular Day Students	40,000	40,000	-	40,000	Based on YTD collections
Criminal Background Fee	30,000	30,000	(2,000)	28,000	Based on YTD collections
Lease/Rentals	133,116	133,116	23,284	156,400	Based on YTD collections
Sale of Materials & Supplies	50	50	1,450	1,500	Based on YTD collections
E-Rate Funding	1,000	1,000	5,000	6,000	Based on YTD collections
Misc. Refund - Other	159,245	159,245	76,255	235,500	Based on YTD collections
Sale of Equipment	35,000	35,000	30,800	65,800	Based on YTD collections
Damages from Individuals	25,000	25,000	95,000	120,000	Based on YTD collections
Contributions & Gifts	1,000	1,000	-	1,000	
	60,000	60,000	20,000	80,000	Premier Medical, Ed. Foundation
Total Local Revenues	76,872,941	76,872,941	878,072	77,751,013	
State Revenues					
Transition School To Work	90,000	90,000	-	90,000	
Basic Education Program	120,911,166	120,911,166	988,834	121,900,000	Move Teach PARCC funding/ADM growth
Early Childhood Education	1,829,270	1,829,270	-	1,829,270	
Other State Education Funds	30,000	30,000	1,830,354	1,860,354	PARCC assessment funding
Career Ladder Program	620,000	620,000	102,486	722,486	Based on YTD collections
Career Ladder Extended Contracts	106,600	106,600	-	106,600	
Income Tax	134,800	134,800	22,800	157,600	Based on YTD collections
Mixed Drink Tax	310,000	310,000	(310,000)	-	Moved to local revenue
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Clarksville-Montgomery County School System General Purpose School Fund Budget

	2013-2014 Original Budget	Current Amended Budget	Proposed Increase (Decrease)	Proposed Amended Budget
Total State Revenues	124,031,836	124,031,836	2,634,474	126,666,310
Federal Revenues				
Educ. of the Handicapped Act	-	81,018	-	81,018
Special Ed Preschool	-	19,482	-	19,482
Public Law 874 (Impact Aid)	3,416,000	3,416,000	-	3,416,000
JROTC	460,000	460,000	120,000	580,000
Adult Literacy	27,000	27,000	-	27,000
Total Federal Revenues	3,903,000	4,003,500	120,000	4,123,500
Non-Revenue Sources				
Insurance Recovery	26,000	25,000	8,000	33,000
Operating Transfers	242,307	242,307	37,693	280,000
Total Non-Revenue Sources	267,307	267,307	45,693	313,000
Total Revenues	205,075,084	205,175,584	3,678,239	208,853,823

Based on YTD collections
Based on YTD collections

Beginning Reserves and Fund Balance

Reserve for On-The-Job Injury	1,375,218	1,375,218	-	1,375,218
Reserve for Property & Liability Insurance	1,320,000	1,320,000	-	1,320,000
Reserve for Extended Contract	146,206	147,372	-	147,372
Reserve for Career Ladder	-2,714	(520)	-	(520)
Total Reserves	2,838,710	2,842,070	-	2,842,070
Beginning Fund Balance	17,651,709	21,621,693	-	21,621,693
Total Reserves and Fund Balance	20,490,419	24,463,763	-	24,463,763
Total Available Funds	225,565,503	229,639,347	3,678,239	233,317,586

Clarksville-Montgomery County School System General Purpose School Fund Budget

	2013-2014 Original Budget	Current Amended Budget	Proposed Increase (Decrease)	Proposed Amended Budget
Expenditures (Appropriations)				
71100 - Regular Instruction				
Salaries	74,985,273	76,012,721	-	76,012,721
Employee Benefits	25,702,360	25,876,086	-	25,876,086
Contracted Services	2,447,040	2,447,040	-	2,447,040
Supplies and Materials	2,142,439	2,147,439	71,787	2,219,226
Other Charges	416,247	416,247	-	416,247
Equipment	23,000	23,000	-	23,000
Total 71100 - Regular Instruction	105,716,359	106,922,533	71,787	106,994,320
71150 - Alternative School				
Salaries	770,668	778,468	19,949	798,417
Employee Benefits	226,753	228,050	3,298	231,348
Contracted Services	30,600	30,600	-	30,600
Supplies and Materials	3,000	3,000	-	3,000
Total 71150 - Alternative School	1,031,021	1,040,118	23,247	1,063,365
71200 - Special Education				
Salaries	16,401,860	16,627,952	100,960	16,728,912
Employee Benefits	5,706,593	5,760,341	-	5,760,341
Contracted Services	1,408,679	1,408,679	-	1,408,679
Supplies and Materials	85,360	85,360	-	85,360
Equipment	10,000	55,000	-	55,000
Total 71200 - Special Education	23,612,492	23,937,332	100,960	24,038,292

Additional positions based on student needs

Based on ed/exp/positions used
Required benefits

School instructional supplies

Clarksville-Montgomery County School System General Purpose School Fund Budget

	2013-2014		Proposed Increase (Decrease)	Proposed Amended Budget
	Original Budget	Current Amended Budget		
71300 - Vocational Education				
Salaries	3,427,091	3,468,011	-	3,468,011
Employee Benefits	1,148,664	1,155,427	-	1,155,427
Contracted Services	84,000	84,000	-	84,000
Supplies and Materials	182,000	182,000	-	182,000
Equipment	10,000	10,000	-	10,000
Total 71300 - Vocational Education	4,851,755	4,899,438	-	4,899,438
72110 - Student Services				
Salaries	578,581	585,250	-	585,250
Employee Benefits	189,491	190,564	-	190,564
Contracted Services	10,125	10,125	-	10,125
Supplies and Materials	3,975	3,975	-	3,975
Other Charges	6,000	6,000	-	6,000
Total 72110 - Student Services	788,172	795,914	-	795,914
72120 - Health Services				
Salaries	872,161	891,263	478	891,741
Employee Benefits	345,195	348,767	-	348,767
Contracted Services	700	700	-	700
Supplies and Materials	18,045	18,345	-	18,345
Equipment	13,000	13,000	-	13,000
Total 72120 - Health Services	1,249,101	1,272,075	478	1,272,553
72130 - Other Student Support				
Salaries	5,683,688	5,830,323	(299,417)	5,530,906
Employee Benefits	1,797,301	1,816,788	-	1,816,788
Contracted Services	301,783	301,783	-	301,783
Supplies and Materials	1,200	1,200	-	1,200
Total 72130 - Other Student Support	7,783,972	7,950,094	(299,417)	7,650,677

Based on ed/exp/positions used

Replaced teacher stipends with grant funding

Clarksville-Montgomery County School System General Purpose School Fund Budget

	2013-2014 Original Budget	Current Amended Budget	Proposed Increase (Decrease)	Proposed Amended Budget
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72210 - Regular Instruction Support				
Salaries	7,389,239	7,481,997	26,770	7,508,767
Employee Benefits	2,457,342	2,559,782	-	2,559,782
Contracted Services	71,971	71,971	-	71,971
Supplies and Materials	536,558	539,031	(1,250)	537,781
Other Charges	242,086	242,086	34,878	276,964
Total 72210 - Regular Instruction Support	10,697,196	10,894,867	60,398	10,955,265

Based on degree/expositions used

School supply allocation adjusted
Staff development requirements

72215 - Alternative School Support				
Salaries	20,257	20,903	26	20,929
Employee Benefits	18,392	18,533	6	18,539
Total 72215 - Alternative School Support	38,649	39,436	32	39,468

Actual salary requirement
Required benefits

72220 - Special Education Support				
Salaries	1,627,599	1,659,180	-	1,659,180
Employee Benefits	521,225	526,466	-	526,466
Contracted Services	31,900	31,001	-	31,001
Supplies and Materials	82,050	81,750	-	81,750
Other Charges	20,500	19,000	-	19,000
Total 72220 - Special Education Support	2,283,774	2,317,397	-	2,317,397

72230 - Vocational Education Support				
Salaries	80,633	81,957	-	81,957
Employee Benefits	33,167	33,398	-	33,398
Contracted Services	400	400	-	400
Supplies and Materials	1,000	1,000	-	1,000
Other Charges	1,500	1,500	-	1,500
Total 72230 - Vocational Education Support	116,700	118,255	-	118,255

Clarksville-Montgomery County School System General Purpose School Fund Budget

	2013-2014 Original Budget	Current Amended Budget	Proposed Increase (Decrease)	Proposed Amended Budget
72260 - Adult Education Support				
Salaries	120,715	122,103	-	122,103
Employee Benefits	24,381	24,611	-	24,611
Total 72260 - Adult Education Support	145,096	146,714	-	146,714
72310 - Board of Education				
Salaries	60,951	61,530	13,625	75,155
Employee Benefits	14,218	1,075,836	1,043	1,076,879
Contracted Services	222,000	222,000	-	222,000
Other Charges	396,000	396,000	-	396,000
Insurance Premiums	240,819	240,819	385,769	626,588
Trustee's Commission	1,330,529	1,330,529	-	1,330,529
Total 72310 - Board of Education	2,264,517	3,326,714	400,437	3,727,151
72320 - Director of Schools				
Salaries	221,424	222,649	-	222,649
Employee Benefits	59,616	61,300	-	61,300
Contracted Services	79,300	81,800	-	81,800
Supplies and Materials	5,500	5,500	-	5,500
Other Charges	15,000	15,000	-	15,000
Total 72320 - Director of Schools	380,840	386,249	-	386,249
72320 - Printing and Communications				
Salaries	367,036	380,265	-	380,265
Employee Benefits	156,030	158,659	-	158,659
Contracted Services	47,570	47,570	-	47,570
Supplies and Materials	54,366	54,366	-	54,366
Other Charges	12,000	12,000	-	12,000
Equipment	6,000	6,000	-	6,000
Total 72320 - Printing and Communications	643,002	658,860	-	658,860

Per Board/County Commission meeting rate change
Required benefits
Liability premium moved from 72610

Clarksville-Montgomery County School System General Purpose School Fund Budget

	2013-2014			
	Original Budget	Current Amended Budget	Proposed Increase (Decrease)	Proposed Amended Budget
72410 - Office of the Principal				
Salaries	11,288,812	11,476,397	18,100	11,494,497
Employee Benefits	4,115,164	4,147,273	9,570	4,156,843
Contracted Services	19,230	19,230	-	19,230
Other Charges	24,000	24,000	-	24,000
Equipment	58,000	58,000	-	58,000
Total 72410 - Office of the Principal	15,505,206	15,724,900	27,670	15,752,570
72510 - Business Affairs				
Salaries	1,399,926	1,456,990	2,780	1,459,770
Employee Benefits	559,044	576,493	1,236	577,729
Contracted Services	203,760	228,221	-	228,221
Supplies and Materials	43,200	43,200	(2,200)	41,000
Other Charges	20,000	20,000	-	20,000
Equipment	3,600	59,453	2,410	61,863
Total 72510 - Business Affairs	2,229,530	2,384,357	4,226	2,388,583
72520 - Human Resources				
Salaries	1,009,932	1,026,937	30,824	1,057,761
Employee Benefits	1,408,774	352,473	12,398	364,871
Contracted Services	78,943	78,943	(688)	78,255
Supplies and Materials	38,000	38,000	-	38,000
Other Charges	29,285	29,285	(11,285)	18,000
Equipment	500	500	-	500
Total 72520 - Human Resources	2,565,434	1,526,138	31,249	1,557,387

Based on ed/exp/positions used
Required benefits

Startup for In-house Teacher Sub Program
Required benefits

Savings in office supplies
Actual cost of equipment

Startup for In-house Teacher Sub Program
Required benefits
Travel expense
Moved prof. development to instruction

Clarksville-Montgomery County School System General Purpose School Fund Budget

	2013-2014			
	Original Budget	Current Amended Budget	Proposed Increase (Decrease)	Proposed Amended Budget
72610 - Operation of Plant				
Salaries	4,683,830	4,785,720	-	4,785,720
Employee Benefits	2,462,232	2,483,800	-	2,483,800
Contracted Services	491,360	491,360	-	491,360
Supplies and Materials	436,969	436,969	-	436,969
Other Charges	7,000	7,000	-	7,000
Equipment	70,000	70,000	800	70,800
Utilities	7,724,810	7,724,810	-	7,724,810
Insurance Premiums	854,701	854,701	(391,496)	463,205
Total 72610 - Operation of Plant	16,730,902	16,854,360	(390,696)	16,463,664
				Liability moved to Board accounts
72620 - Maintenance of Plant				
Salaries	2,245,194	2,411,836	10,736	2,422,572
Employee Benefits	1,004,613	1,040,272	-	1,040,272
Contracted Services	1,646,357	1,646,357	(50,000)	1,596,357
Supplies and Materials	1,192,446	1,192,446	3,000	1,195,446
Other Charges	2,500	2,500	-	2,500
Equipment	5,000	5,000	-	5,000
Insurance Premiums	21,044	21,044	(1,490)	19,554
Total 72620 - Maintenance of Plant	6,117,154	6,319,455	(37,754)	6,281,701
				Based on actual premiums
72810 - Information Technology				
Salaries	800,597	826,380	(7,766)	818,614
Employee Benefits	257,057	262,725	(115)	262,610
Contracted Services	2,056,802	2,056,802	-	2,056,802
Supplies and Materials	1,517,158	1,517,158	-	1,517,158
Other Charges	45,161	45,161	-	45,161
Equipment	1,238,825	1,238,825	40,000	1,278,825
Total 72810 - Information Technology	5,915,600	5,947,051	32,119	5,979,170
				Based on ed/exp/positions used Required benefits Technology for NWHHS academy

**Clarksville-Montgomery County School System
General Purpose School Fund Budget**

	2013-2014 Original Budget	Current Amended Budget	Proposed Increase (Decrease)	Proposed Amended Budget	
73400 - Early Childhood Education					
Salaries	1,425,198	1,455,445	1,198	1,456,643	Based on ed/exp/positions used Required benefits
Employee Benefits	588,773	594,309	219	594,528	
Contracted Services	51,000	51,000	-	51,000	
Supplies and Materials	10,000	10,000	-	10,000	
Other Charges	20,000	20,000	-	20,000	
Total 73400 - Early Childhood Education	2,094,971	2,130,754	1,417	2,132,171	

82230 - Debt Service				
Interest Payments	21,000	21,000	-	21,000
Total 82230 - Debt Service	21,000	21,000	-	21,000

99100 - Interfund Transfers				
	330,000	1,330,000	-	1,330,000
	499,340	499,340	(11,775)	487,565
Total 99100 - Interfund Transfers	829,340	1,829,340	(11,775)	1,817,565

Based on actual debt payments

Clarksville-Montgomery County School System General Purpose School Fund Budget

	2013-2014 Original Budget	Current Amended Budget	Proposed Increase (Decrease)	Proposed Amended Budget
Total Expenditures	213,611,783	217,443,351	14,378	217,457,729

Ending Reserves and Fund Balance

Fund Balance	9,106,918	9,345,834	3,701,630	13,047,464	Projected fund balance as of 6/30/14
On-The-Job Injury Reserve	1,375,218	1,375,218	-	1,375,218	
Property & Liability Insurance Reserve	1,320,000	1,320,000	-	1,320,000	
Extended Contract Reserve	154,335	155,501	(37,763)	117,738	Projected reserve as of 6/30/14
Career Ladder Reserve	-2,751	(557)	(6)	(563)	Projected reserve as of 6/30/14

Total Reserves and Fund Balance	11,953,720	12,195,996	3,663,861	15,859,857
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Total Expenditures, Reserves and Fund Balance	225,566,503	229,639,347	3,678,239	233,317,586
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Clarksville-Montgomery County School System Transportation Fund Budget

Estimated Revenues

	2013-2014		Proposed Increase (Decrease)	Proposed Amended Budget	
	Original Budget	Current Amended Budget			
Local Revenues					
40110 Current Property Tax	1,835,000	1,835,000	44,100	1,879,100	Based on YTD collections
40120 Trustee's Collection - Prior Years	60,000	60,000	-	60,000	
40140 Interest & Penalties	15,000	15,000	-	15,000	
40162 Payments In Lieu of Taxes (Utility)	49,000	49,000	1,200	50,200	
40320 Bank Excise Tax	3,000	3,000	-	3,000	Based on YTD collections
44130 Sale of Materials & Supplies	2,500	2,500	-	2,500	
44145 Sale of Recycled Materials	3,200	3,200	-	3,200	
44170 Misc. Refund - Other	7,000	7,000	-	7,000	
44530 Sale of Equipment	40,000	40,000	-	40,000	
44560 Damages from Individuals	1,000	1,000	-	1,000	
Total Local Revenues	2,015,700	2,015,700	45,300	2,061,000	
State Revenues - BEP					
46511 Basic Education Program	7,519,124	7,519,124	-	7,519,124	
Total State Revenues - BEP	7,519,124	7,519,124	-	7,519,124	
Federal Revenues					
47143 Educ. of the Handicapped Act	1,282,915	1,282,915	-	1,282,915	
47311 Race To The Top	15,000	15,000	-	15,000	
Total Federal Revenues	1,297,915	1,297,915	-	1,297,915	
Total	10,832,739	(10,832,739)	(45,300)	(10,787,439)	
Total Revenues	10,832,739	10,832,739	45,300	10,878,039	
Beginning Fund Balance	2,017,578	3,247,945	-	3,247,945	
Total Available Funds	12,850,317	14,080,684	45,300	14,125,984	

Clarksville-Montgomery County School System Transportation Fund Budget

	2013-2014 Original Budget	Current Amended Budget	Proposed Increase (Decrease)	Proposed Amended Budget
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Expenditures (Appropriations)

72310 - Board of Education	0	40,000	-	40,000
Trustee's Commission	0	40,000	-	40,000
Total 72310 - Board of Education	0	40,000	-	40,000

72510 - Fiscal Services	40,000	-	-	-
Total 72510 - Fiscal Services	40,000	-	-	-

72710 - Transportation	6,614,066	7,038,266	-	7,038,266	
Salaries	3,079,476	3,140,778	-	3,140,778	
Employee Benefits	256,150	256,150	(3,100)	253,050	Reduced vehicle maintenance account
Contracted Services	2,036,550	2,036,550	(11,700)	2,024,850	Reduced vehicle parts account
Supplies and Materials	20,000	20,000	-	20,000	
Other Charges	106,947	106,947	6,780	113,727	Actual cost of equipment
Equipment	50,999	50,999	(5,257)	45,742	Based on actual premium
Insurance Premiums	12,164,178	12,649,690	(13,277)	12,636,413	
Total 72710 - Transportation	12,164,178	12,649,690	(13,277)	12,636,413	

Total Expenditures	12,204,178	12,689,690	(13,277)	12,676,413	
Ending Fund Balance	646,139	1,390,994	58,577	1,449,571	Projected fund balance as of 6/30/14

Total Expenditures and Fund Balance	12,850,317	14,080,684	45,300	14,125,984	
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Clarksville-Montgomery County School System Federal Projects Fund Budget

	2013-2014 Original Budget	Current Amended Budget	Proposed Increase (Decrease)	Proposed Amended Budget	
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Estimated Revenues

State Revenues					
46590	Adult Ed LEAP, Safe Schools, School Health	610,895	610,895	121,747	732,642
	Total State Revenues	610,895	610,895	121,747	732,642

Based on actual Federal allocations

Federal Revenues

47120	Adult Basic Education	171,884	171,884	6,734	178,618	Based on actual Federal allocations
47131	Career Technical Education	397,629	397,629	1,467	399,096	Based on actual Federal allocations
47141	Title I	9,216,872	9,216,872	(569,504)	8,647,368	Based on actual Federal allocations
47143	Individuals w/ Disabilities Educ. Act (IDEA)	5,534,934	5,534,934	(69,820)	5,465,114	Based on actual Federal allocations
47145	Preschool (IDEA)	67,623	67,623	(9,191)	58,432	Based on actual Federal allocations
47146	English Language Acquisition (Title III)	135,575	135,575	50,844	186,419	Based on actual Federal allocations
47147	Safe & Drug-Free Schools (Title IV, CCLC)	485,000	485,000	445,000	930,000	Based on actual Federal allocations
47189	Title II-A	1,046,351	1,046,351	(670)	1,045,681	Based on actual Federal allocations
47311	Race To The Top	1,495,370	1,495,370	1,146,334	2,641,704	Based on actual Federal allocations
47990	Other Direct Federal	3,496,798	3,496,798	(612,363)	2,884,435	Based on actual Federal allocations
	Total Federal Revenues	22,048,036	22,048,036	388,832	22,436,868	

Non-Revenue Sources

49800	Operating Transfers	124,593	1,124,593	650,407	1,775,000	Based on actual needs
	Total Non-Revenue Sources	124,593	1,124,593	650,407	1,775,000	

Total Revenues	22,783,524	23,783,524	1,160,986	24,944,510	
Beginning Fund Balance	0	-	1,347,561	1,347,561	Actual fund balance carried forward

Total Available Funds	22,783,524	23,783,524	2,508,547	26,292,071	
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**Clarksville-Montgomery County School System
Federal Projects Fund Budget**

	2013-2014 Original Budget	Current Amended Budget	Proposed Increase (Decrease)	Proposed Amended Budget	
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Expenditures (Appropriations)

71100 - Regular Instruction					
Salaries	4,862,844	4,995,721	236,228	5,231,949	Reflects program requirements
Employee Benefits	1,391,218	1,395,713	42,770	1,438,483	Reflects program requirements
Contracted Services	590,902	590,902	282,025	872,927	Reflects program requirements
Supplies and Materials	924,981	924,981	601,922	1,526,903	Reflects program requirements
Other Charges	-	-	5,000	5,000	Reflects program requirements
Equipment	236,407	236,407	651,447	887,854	Reflects program requirements
Total 71100 - Regular Instruction	8,006,352	8,143,724	1,819,392	9,963,116	

71200 - Special Education					
Salaries	2,026,887	2,031,382	28,395	2,059,777	Reflects program requirements
Employee Benefits	896,356	897,206	3,585	900,791	Reflects program requirements
Contracted Services	5,000	5,000	45,300	50,300	Reflects program requirements
Supplies and Materials	25,243	25,243	157,089	182,332	Reflects program requirements
Other Charges	79,892	79,892	(79,892)	-	Reflects program requirements
Equipment	6,700	6,700	108,158	114,858	Reflects program requirements
Total 71200 - Special Education	3,040,078	3,045,423	262,635	3,308,058	

71300 - Vocational Education					
Salaries	50,903	51,447	-	51,447	
Employee Benefits	14,398	14,488	-	14,488	
Contracted Services	4,500	4,500	(3,500)	1,000	Reflects program requirements
Supplies and Materials	49,688	49,688	(34,653)	15,035	Reflects program requirements
Other Charges	11,045	11,045	(2,245)	8,800	Reflects program requirements
Equipment	138,358	138,358	43,899	182,257	Reflects program requirements

Total 71300 - Vocational Education	268,892	269,526	3,501	273,027	
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Clarksville-Montgomery County School System Federal Projects Fund Budget

	2013-2014 Original Budget	Current Amended Budget	Proposed Increase (Decrease)	Proposed Amended Budget	
71600 - Adult Education					
Salaries	57,716	57,716	9,617	67,333	Reflects program requirements
Employee Benefits	9,540	9,540	839	10,379	Reflects program requirements
Contracted Services	-	-	1,200	1,200	Reflects program requirements
Supplies and Materials	22,332	22,332	(7,267)	15,065	Reflects program requirements
Total 71600 - Adult Education	89,588	89,588	4,389	93,977	
72130 - Other Student Support					
Salaries	221,690	225,567	12,511	238,078	Reflects program requirements
Employee Benefits	66,036	66,677	4,465	71,142	Reflects program requirements
Contracted Services	91,191	91,191	(4,091)	87,100	Reflects program requirements
Supplies and Materials	54,799	54,799	40,602	95,401	Reflects program requirements
Other Charges	134,315	134,315	92,390	226,705	Reflects program requirements
Equipment	2,000	2,000	300	2,300	Reflects program requirements
Total 72130 - Other Student Support	570,031	574,549	146,177	720,726	
72210 - Regular Instruction Support					
Salaries	2,255,502	2,242,815	148,119	2,390,934	Reflects program requirements
Employee Benefits	623,916	616,280	43,178	659,458	Reflects program requirements
Contracted Services	339,739	339,739	1,559,039	1,898,778	Reflects program requirements
Supplies and Materials	378,387	378,387	5,309	383,696	Reflects program requirements
Other Charges	3,313,062	3,313,062	(2,435,768)	877,294	Reflects program requirements
Equipment	-	-	347,500	347,500	Reflects program requirements
Total 72210 - Regular Instruction Support	6,910,606	6,890,283	(332,623)	6,557,660	
72220 - Special Education Support					
Salaries	762,347	770,165	(102,933)	667,232	Reflects program requirements
Employee Benefits	251,221	252,687	(36,432)	216,255	Reflects program requirements
Contracted Services	26,366	26,366	15,424	41,790	Reflects program requirements
Supplies and Materials	7,000	7,000	1,042	8,042	Reflects program requirements
Other Charges	56,966	56,966	(25,466)	31,500	Reflects program requirements
Total 72220 - Special Education Support	1,103,900	1,113,184	(148,365)	964,819	

Clarksville-Montgomery County School System Federal Projects Fund Budget

	2013-2014 Original Budget	Current Amended Budget	Proposed Increase (Decrease)	Proposed Amended Budget	
72230 - Vocational Education Support					
Contracted Services	500	500	-	500	
Other Charges	3,500	3,500	-	3,500	
Total 72230 - Vocational Education Support	4,000	4,000	-	4,000	
72260 - Adult Education Support					
Salaries	96,527	97,148	-	97,148	
Employee Benefits	36,885	36,987	(112)	36,875	Reflects program requirements
Supplies and Materials	2,000	2,000	-	2,000	
Other Charges	4,179	4,179	3,979	8,158	Reflects program requirements
Total 72260 - Adult Education Support	139,591	140,314	3,867	144,181	
72410 - Office of the Principal					
Salaries	76,236	77,510	-	77,510	
Employee Benefits	26,565	26,776	-	26,776	
Total 72410 - Office of the Principal	102,801	104,286	-	104,286	
72610 - Operation of Plant					
Contracted Services	15,200	15,200	-	15,200	
Equipment	185,900	185,900	57,770	243,670	Reflects program requirements
Total 72610 - Operation of Plant	201,100	201,100	57,770	258,870	
72710 - Transportation					
Salaries	1,373,627	1,350,852	134,492	1,485,344	Reflects program requirements
Employee Benefits	159,808	154,801	41,125	195,926	Reflects program requirements
Contracted Services	500	500	2,500	3,000	Reflects program requirements
Supplies and Materials	36,956	36,956	10,000	46,956	Reflects program requirements
Other Charges	110,300	110,300	(82,456)	27,844	Reflects program requirements
Equipment	15,000	15,000	-	15,000	Reflects program requirements
Total 72710 - Transportation	1,696,191	1,668,409	105,661	1,774,070	

**Clarksville-Montgomery County School System
Federal Projects Fund Budget**

	2013-2014 Original Budget	Current Amended Budget	Proposed Increase (Decrease)	Proposed Amended Budget	
Indirect Cost	525,801	525,801	(150,522)	375,279	Assessment for indirect costs
Transfers To Other Funds	124,593	124,593	625,407	750,000	Return of funds used for cashflow
Total 99100 - Interfund Transfers	650,394	650,394	474,885	1,125,279	
<hr/>					
Total Expenditures	20,165,871	22,894,780	2,397,292	25,292,072	
<hr/>					
Ending Fund Balance	0	888,744	111,255	999,999	Projected fund balance as of 6/30/14
<hr/>					
Total Expenditures and Fund Balance	20,166,499	23,783,524	2,508,547	26,292,071	

**RESOLUTION AUTHORIZING THE NEGOTIATION OF A CONTRACT
WITH GREATER DICKSON GAS AUTHORITY TO PROVIDE
NATURAL GAS SERVICE TO SOUTHERN
MONTGOMERY COUNTY**

WHEREAS, various property owners of southern Montgomery County have expressed a desire for natural gas service; and

WHEREAS, the Greater Dickson Gas Authority of Dickson County, Tennessee, has indicated that they may be able to provide natural gas service to some residents of southern Montgomery County; and

WHEREAS, service may be available to residents in portions of Montgomery County Civil Districts 13, 16, 17, 18, 19, 20 and 22; and

WHEREAS, this project will not incur any costs to the taxpayers of Montgomery County.

NOW, THEREFORE BE IT RESOLVED by the Montgomery County Board of Commissioners meeting in regular business session on this 10th day of March, 2014, that the Montgomery County Mayor is hereby authorized to negotiate a contract with the Greater Dickson Gas Authority to extend natural gas service into portions of Montgomery County Civil Districts 13, 16, 17, 18, 19, 20 and 22.

Duly passed and approved this 10th day of March, 2014.

Sponsor *Mark H. Kypri*

Commissioner *Joe / Auck*

Approved _____
County Mayor

Attested _____
County Clerk

AGREEMENT

AN AGREEMENT between the Board of Commissioners of Montgomery County, Tennessee and the Greater Dickson Gas Authority granting to the Greater Dickson Gas Authority, hereinafter designated as Grantee, its successors and assigns, an exclusive right and franchise to use and occupy the streets, avenues, roads, alleys, lanes, parks and other public places and ways in Civil Districts 13, 16, 17, 18, 19, 20 and 22 in the County of Montgomery in the State of Tennessee for constructing, maintaining, renewing, repairing, and/or operating a gas works and/or distribution system, and other necessary means for manufacturing, transmitting, distributing, and/or selling of manufactured or natural gas or commingle gas within and/or through the above mentioned area of Montgomery County, Tennessee.

SECTION 1. The exclusive right and franchise is hereby granted to the Greater Dickson Gas Authority, its successors and assigns, to lay, construct, extend, maintain, renew, replace and/or repair gas pipes and gas mains under, along and/or across any streets, avenues, roads, alleys, lanes, parks and other places and ways in Civil Districts 13, 16, 17, 18, 19, 20 and 22 of Montgomery County, Tennessee and to use and occupy the said streets, avenues, roads, alleys, lanes, parks and other public places and ways for the purpose of therein laying or constructing, extending, maintaining, renewing, replacing, and/or repairing mains and pipes and all appurtenances and appendages thereto used and/or useful for the manufacture, transmission, distribution, and/or sale of gas within and/or through the present or future territorial limits of Civil Districts 13, 16, 17, 18, 19, 20 and 22 of Montgomery County, Tennessee such right to continue for twenty (20) years after the date of this agreement.

SECTION 2. All rights herein granted and/or authorized shall be and governed only by this Agreement provided, however, the Board of Commissioners of Montgomery County, Tennessee expressly reserve unto themselves all of their police powers to adopt general regulations necessary to protect the safety and welfare of the general public in relation to the rights herein granted not inconsistent with the provisions of this Agreement.

SECTION 3. The Greater Dickson Gas Authority, upon making an opening upon any of the streets, alleys, or public ways of Civil Districts 13, 16, 17, 18, 19, 20 and 22 of Montgomery County, Tennessee for the purpose of laying pipes, and/or maintaining gas mains, shall use due care and caution to prevent injury to any person or persons and shall replace and restore all public ways to their former condition as nearly as practicable and within a reasonable time, and shall not unnecessarily obstruct or impede traffic on the streets, alleys, and public ways in Civil Districts 13, 16, 17, 18, 19, 20 and 22 of Montgomery County, Tennessee.

SECTION 4. The Greater Dickson Gas Authority shall save and keep harmless the Board of Commissioners of Montgomery County, Tennessee from any and all liability by reasons of damage or injury to any person or persons whatsoever on account of negligence of the Greater Dickson Gas Authority in the installation and maintenance of its mains and pipe lines along said streets, alleys and public ways, provided, however, the Greater Dickson Gas Authority shall have been notified in writing of any claim against the Board of Commissioners of Montgomery County, Tennessee on account thereof, and shall have been given ample opportunity to defend the same.

SECTION 5. This Agreement shall supersede any previous agreement between Montgomery County, Tennessee and Greater Dickson Gas Authority in regard to Civil Districts 13, 16, 17, 18, 19, 20 and 22 of Montgomery County, Tennessee.

SECTION 6. Greater Dickson Gas Authority agrees to pay Montgomery County, Tennessee tax equivalent pursuant to *Tennessee Code Annotated Section 7-39-401, et seq.*

SECTION 7. This Agreement shall be in full force and effect from and after its passage and its acceptance by the Greater Dickson Gas Authority, such acceptance to be in writing filed with the County Clerk of Montgomery County, Tennessee.

MONTGOMERY COUNTY MAYOR

Dated: _____

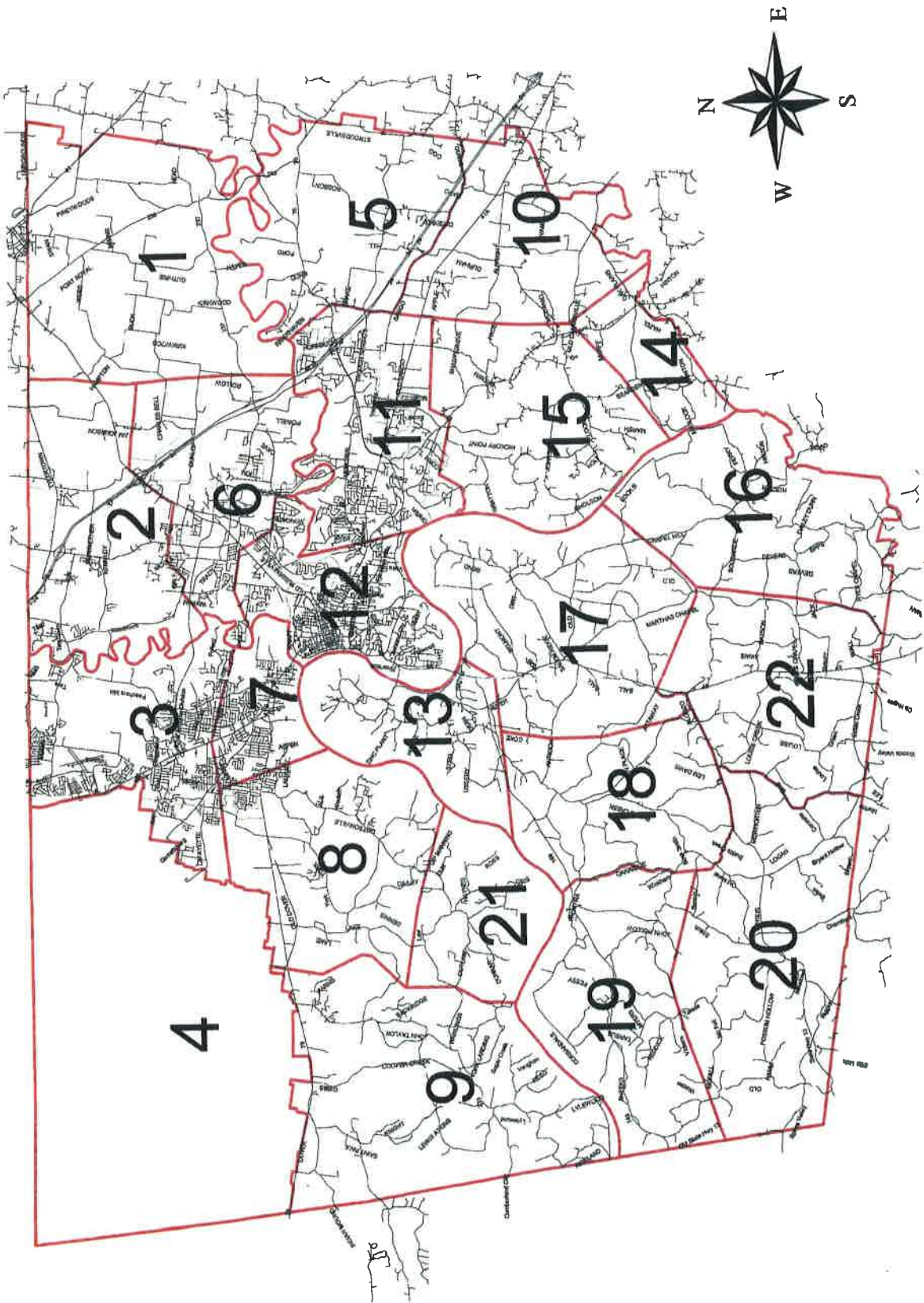
ATTEST: _____
COUNTY CLERK

Prepared By: _____
GREATER DICKSON GAS AUTHORITY
GENERAL MANAGER

Dated: _____

WITNESS:

Civil District Map



**RESOLUTION OF THE MONTGOMERY COUNTY BOARD OF
COMMISSIONERS AUTHORIZING THE ACCEPTANCE AND
PERMISSION TO SPEND GRANT FUNDS FROM THE
TENNESSEE DEPARTMENT OF HEALTH**

WHEREAS, the Tennessee Department of Health has advised the Montgomery County Health Department that special needs funding allocations pursuant to T.C.A. § 68-2-901 are available from a tobacco settlement; and

WHEREAS, the Tennessee Department of Health has advised that Montgomery County has been approved to receive these funds in the amount of \$79,510.00 annually for the next three years to be utilized toward the prevention of low birth weight babies due to prenatal smoking; and

WHEREAS, this grant will not require any matching county funds.

NOW, THEREFORE, BE IT RESOLVED by the Montgomery County Board of Commissioners assembled in Regular Session on this 10th day of March, 2014, that the Montgomery County Health Department accept grant funds from the Tennessee Department of Health in the amount of \$79,510.00 annually for the next three years for the purpose herein stated and as detailed below:

REVENUE	101-54110-00000-54-47590-G1330	\$ 79,510.00
Temporary Personnel	101-54110-00000-54-51680-G1330	19,285.00
Social Security	101-54110-00000-54-52010-G1330	1,197.00
Employer Medicare	101-54110-00000-54-52120-G1330	280.00
Supplies	101-54110-00000-54-54990-G1330	8,896.00
Travel	101-54110-00000-54-53550-G1330	3,000.00
Prof. Services/subcontract fees	101-54110-00000-54-53990-G1330	6,960.00
Conferences and meetings	101-54110-00000-54-54990-G1330	1,000.00
Specific (incentives)	101-54110-00000-54-54990-G1330	26,892.00
Prenatal Anti-Smoking Marketing	101-54110-00000-54-53020-G1330	12,000.00
	TOTAL	\$ 79,510.00

Duly passed and approved this 10th day of March, 2014.

Sponsor _____

Commissioner _____

Approved _____

County Mayor

Attested _____

County Clerk

RESOLUTION TO ESTABLISH AN UPDATED OCCUPATIONAL SAFETY AND HEALTH PROGRAM PLAN,
DEVISE RULES AND REGULATIONS, AND TO PROVIDE FOR A SAFETY DIRECTOR AND THE
IMPLEMENTATION OF SUCH PROGRAM PLAN

WHEREAS, in compliance with Public Chapter 561 of the General Assembly of the State of Tennessee for the year 1972, the **MONTGOMERY COUNTY BOARD OF COMMISSIONERS** hereby updates the Occupational Safety and Health Program Plan for the employees of the **MONTGOMERY COUNTY GOVERNMENT**.

WHEREAS, due to various changes in subsequent years, it has become necessary to amend the program plan to comply with more recent state requirements.

NOW, THEREFORE,

SECTION 1. BE IT RESOLVED BY THE **MONTGOMERY COUNTY BOARDS OF COMMISSIONERS**, that there be and is hereby amended as follows:

TITLE:

This section shall be known as "The Occupational Safety and Health Program Plan" for the employees of **MONTGOMERY COUNTY GOVERNMENT**.

PURPOSE:

The **MONTGOMERY COUNTY BOARD OF COMMISSIONERS**, in electing to update the established Program Plan will maintain an effective and comprehensive Occupational Safety and Health Program Plan for its employees and shall:

- 1) Provide a safe and healthful place and condition of employment that includes:
 - a) Top Management Commitment and Employee Involvement;
 - b) Continually analyze the worksite to identify all hazards and potential hazards;
 - c) Develop and maintain methods for preventing or controlling the existing or potential hazards; and
 - d) Train managers, supervisors, and employees to understand and deal with worksite hazards.
- 2) Acquire, maintain and require the use of safety equipment, personal protective equipment and devices reasonably necessary to protect employees.
- 3) Record, keep, preserve, and make available to the Commissioner of Labor and Workforce Development, or persons within the Department of Labor and Workforce Development to whom such responsibilities have been delegated, adequate records of all occupational accidents and illnesses and personal injuries for proper evaluation and necessary corrective action as required.
- 4) Consult with the Commissioner of Labor and Workforce Development with regard to the adequacy of the form and content of records.
- 5) Consult with the Commissioner of Labor and Workforce Development, as appropriate, regarding safety and

health problems which are considered to be unusual or peculiar and are such that they cannot be achieved under a standard promulgated by the State.

6) Provide reasonable opportunity for the participation of employees in the effectuation of the objectives of this Program Plan, including the opportunity to make anonymous complaints concerning conditions or practices injurious to employee safety and health.

7) Provide for education and training of personnel for the fair and efficient administration of occupational safety and health standards, and provide for education and notification of all employees of the existence of this Program Plan.

COVERAGE:

The provisions of the Occupational Safety and Health Program Plan for the employees of The **MONTGOMERY COUNTY GOVERNMENT** shall apply to all employees of each administrative department, commission, board, division, or other agency of the **MONTGOMERY COUNTY GOVERNMENT** whether part-time or full-time, seasonal or permanent.

STANDARDS AUTHORIZED:

The Occupational Safety and Health standards adopted by the **MONTGOMERY COUNTY BOARD OF COMMISSIONERS** are the same as, but not limited to, the State of Tennessee Occupational Safety and Health Standards promulgated, or which may be promulgated, in accordance with Section 6 of the Tennessee Occupational Safety and Health Act of 1972 (T.C.A. Title 50, Chapter 3).

VARIANCES FROM STANDARDS AUTHORIZED:

Upon written application to the Commissioner of Labor and Workforce Development of the State of Tennessee, we may request an order granting a temporary variance from any approved standards. Applications for variances shall be in accordance with Rules of Tennessee Department of Labor and Workforce Development Occupational Safety and Health, **VARIANCES FROM OCCUPATIONAL SAFETY AND HEALTH STANDARDS, CHAPTER 0800-01-02**, as authorized by T.C.A., Title 50. Prior to requesting such temporary variance, we will notify or serve notice to our employees, their designated representatives, or interested parties and present them with an opportunity for a hearing. The posting of notice on the main bulletin board shall be deemed sufficient notice to employees.

ADMINISTRATION:

For the purposes of this resolution, The **Safety and Risk Manager** is designated as the Safety Director of Occupational Safety and Health to perform duties and to exercise powers assigned to plan, develop, and administer this Program Plan. The Safety and Risk Manager shall develop a plan of operation for the Program Plan in accordance with Rules of Tennessee Department of Labor and Workforce Development Occupational Safety and Health, **SAFETY AND HEALTH PROVISIONS FOR THE PUBLIC SECTOR, CHAPTER 0800-01-05**, as authorized by T.C.A., Title 50.

FUNDING THE PROGRAM PLAN:

Sufficient funds for administering and staffing the Program Plan pursuant to this resolution shall be made available as authorized by the **MONTGOMERY COUNTY BOARD OF COMMISSIONERS**.

SEVERABILITY:

SECTION 2. BE IT FURTHER RESOLVED that if any section, sub-section, sentence, clause, phrase, or portion of this resolution is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions hereof.

AMENDMENTS, ETC:

SECTION 3. BE IT FURTHER RESOLVED that this resolution shall take effect from and after the date it shall have been passed by the **MONTGOMERY COUNTY BOARD OF COMMISSIONERS**, properly signed, certified, and has met all other legal requirements of the **MONTGOMERY COUNTY BOARD OF COMMISSIONERS**, and as otherwise provided by law, the general welfare of the **MONTGOMERY COUNTY GOVERNMENT** requiring it.

Duly passed and approved this the 3rd day of March, 2014.

Sponsor _____

Commissioner _____

Approved _____

County Mayor

Attested _____

County Clerk

PLAN OF OPERATION FOR THE OCCUPATIONAL SAFETY AND HEALTH
PROGRAM PLAN FOR THE EMPLOYEES OF MONTGOMERY COUNTY GOVERNMENT

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I. PURPOSE AND COVERAGE

The purpose of this plan is to provide guidelines and procedures for implementing the Occupational Safety and Health Program Plan for the employees of the **MONTGOMERY COUNTY GOVERNMENT**.

This plan is applicable to all employees, part-time or full-time, seasonal or permanent.

The **MONTGOMERY COUNTY BOARD OF COMMISSIONERS** in electing to update and maintain an effective Occupational Safety and Health Program Plan for its employees,

- a. Provide a safe and healthful place and condition of employment.
- b. Require the use of safety equipment, personal protective equipment, and other devices where reasonably necessary to protect employees.
- c. Make, keep, preserve, and make available to the Commissioner of Labor and Workforce Development, his designated representatives, or persons within the Department of Labor and Workforce Development to whom such responsibilities have been delegated, including the Safety Director of the Division of Occupational Safety and Health, adequate records of all occupational accidents and illnesses and personal injuries for proper evaluation and necessary corrective action as required.
- d. Consult with the Commissioner of Labor and Workforce Development or his designated representative with regard to the adequacy of the form and content of such records.
- e. Consult with the Commissioner of Labor and Workforce Development regarding safety and health problems which are considered to be unusual or peculiar and are such that they cannot be resolved under an occupational safety and health standard promulgated by the State.
- f. Assist the Commissioner of Labor and Workforce Development or his monitoring activities to determine Program Plan effectiveness and compliance with the occupational safety and health standards.
- g. Make a report to the Commissioner of Labor and Workforce Development annually, or as may otherwise be required, including information on occupational accidents, injuries, and illnesses and accomplishments and progress made toward achieving the goals of the Occupational Safety and Health Program Plan.
- h. Provide reasonable opportunity for and encourage the participation of employees in the effectuation of the objectives of this Program Plan, including the opportunity to make anonymous complaints concerning conditions or practices which may be injurious to employees safety and health.

II. DEFINITIONS

For the purposes of this Program Plan, the following definitions apply:

- a. **COMMISSIONER OF LABOR and Workforce Development** means the chief executive officer of the Tennessee Department of Labor and Workforce Development. This includes any person appointed, designated, or deputized to perform the duties or to exercise the powers assigned to the Commissioner of Labor and Workforce Development.
- b. **EMPLOYER** means the **MONTGOMERY COUNTY GOVERNMENT** and includes each administrative department, board, commission, division, or other agency of the **MONTGOMERY COUNTY GOVERNMENT**.
- c. **SAFETY DIRECTOR OF OCCUPATIONAL SAFETY AND HEALTH or SAFETY DIRECTOR** means the person designated by the establishing resolution, or executive order to perform duties or to exercise powers assigned so as to plan, develop, and administer the Occupational Safety and Health Program Plan for the employees of **MONTGOMERY COUNTY GOVERNMENT**.
- d. **INSPECTOR(S)** means the individual(s) appointed or designated by the Safety Director of Occupational Safety and Health to conduct inspections provided for herein. If no such compliance inspector(s) is

appointed, inspections shall be conducted by the Safety Director of Occupational Safety and Health.

- e. APPOINTING AUTHORITY means any official or group of officials of the employer having legally designated powers of appointment, employment, or removal there from for a specific department, board, commission, division, or other agency of this employer.
- f. EMPLOYEE means any person performing services for this employer and listed on the payroll of this employer, either as part-time, full-time, seasonal, or permanent. It also includes any persons normally classified as volunteersprovided such persons received remuneration of any kind for their services. This definition shall not include independent contractors, their agents, servants, and employees.
- g. PERSON means one or more individuals, partnerships, associations, corporations, business trusts, or legal representatives of any organized group of persons.
- h. STANDARD means an occupational safety and health standard promulgated by the Commissioner of Labor and Workforce Development in accordance with Section VI (6) of the Tennessee Occupational Safety and Health Act of 1972 which requires conditions or the adoption or the use of one or more practices, means, methods, operations, or processes or the use of equipment or personal protective equipment necessary or appropriate to provide safe and healthful conditions and places of employment.
- i. IMMINENT DANGER means any conditions or practices in any place of employment which are such that a hazard exists which could reasonably be expected to cause death or serious physical harm immediately or before the imminence of such hazard can be eliminated through normal compliance enforcement procedures.
- j. ESTABLISHMENT or WORKSITE means a single physical location under the control of this employer where business is conducted, services are rendered, or industrial type operations are performed.
- k. SERIOUS INJURY or HARM means that type of harm that would cause permanent or prolonged impairment of the body in that:
 - 1. A part of the body would be permanently removed (e.g., amputation of an arm, leg, finger(s); loss of an eye) or rendered functionally useless or substantially reduced in efficiency on or off the job (e.g., leg shattered so severely that mobility would be permanently reduced), or
 - 2. A part of an internal body system would be inhibited in its normal performance or function to such a degree as to shorten life or cause reduction in physical or mental efficiency (e.g., lung impairment causing shortness of breath).

On the other hand, simple fractures, cuts, bruises, concussions, or similar injuries would not fit either of these categories and would not constitute serious physical harm.

- l. ACT or TOSH Act shall mean the Tennessee Occupational Safety and Health Act of 1972.
- m. GOVERNING BODY means the County Quarterly Court, Board of Aldermen, Board of Commissioners, City or Town Council, Board of Governors, etc., whichever may be applicable to the local government, government agency, or utility to which this plan applies.
- n. CHIEF EXECUTIVE OFFICER means the chief administrative official, County Judge, County Chairman, County Mayor, Mayor, City Manager, General Manager, etc., as may be applicable.

III. EMPLOYERS RIGHTS AND DUTIES

Rights and duties of the employer shall include, but are not limited to, the following provisions:

- a. Employer shall furnish to each employee conditions of employment and a place of employment free from recognized hazards that are causing or are likely to cause death or serious injury or harm to employees.
- b. Employer shall comply with occupational safety and health standards and regulations promulgated pursuant to Section VI (6) of the Tennessee Occupational Safety and Health Act of 1972.
- c. Employer shall refrain from and unreasonable restraint on the right of the Commissioner of Labor and Workforce Development to inspect the employers place(s) of business. Employer shall assist the Commissioner of Labor and Workforce Development in the performance of their monitoring duties by supplying or by making available information, personnel, or aids reasonably necessary to the effective conduct of the monitoring activity.
- d. Employer is entitled to participate in the development of standards by submission of comments on proposed standards, participation in hearing on proposed standards, or by requesting the development of standards on a given issue under Section 6 of the Tennessee Occupational Safety and Health Act of 1972.
- e. Employer is entitled to request an order granting a variance from an occupational safety and health standard.
- f. Employer is entitled to protection of its legally privileged communication.
- g. Employer shall inspect all worksites to insure the provisions of this Program Plan are complied with and carried out.
- h. Employer shall notify and inform any employee who has been or is being exposed in a biologically significant manner to harmful agents or material in excess of the applicable standard and of corrective action being taken.
- i. Employer shall notify all employees of their rights and duties under this Program Plan.

IV. EMPLOYEES RIGHTS AND DUTIES

Rights and duties of employees shall include, but are not limited to, the following provisions:

- a. Each employee shall comply with occupational safety and health act standards and all rules, regulations, and orders issued pursuant to this Program Plan and the Tennessee Occupational Safety and Health Act of 1972 which are applicable to his or her own actions and conduct.
- b. Each employee shall be notified by the placing of a notice upon bulletin boards, or other places of common passage, of any application for a permanent or temporary order granting the employer a variance from any provision of the TOSH Act or any standard or regulation promulgated under the Act.
- c. Each employee shall be given the opportunity to participate in any hearing which concerns an application by the employer for a variance from a standard or regulation promulgated under the Act.

- d. Any employee who may be adversely affected by a standard or variance issued pursuant to the Act or this Program Plan may file a petition with the Commissioner of Labor and Workforce Development or whoever is responsible for the promulgation of the standard or the granting of the variance.
- e. Any employee who has been exposed or is being exposed to toxic materials or harmful physical agents in concentrations or at levels in excess of that provided for by any applicable standard shall be provided by the employer with information on any significant hazards to which they are or have been exposed, relevant symptoms, and proper conditions for safe use or exposure. Employees shall also be informed of corrective action being taken.
- f. Subject to regulations issued pursuant to this Program Plan, any employee or authorized representative of employees shall be given the right to request an inspection and to consult with the Safety Director or Inspector at the time of the physical inspection of the worksite.
- g. Any employee may bring to the attention of the Safety Director any violation or suspected violations of the standards or any other health or safety hazards.
- h. No employee shall be discharged or discriminated against because such employee has filed any complaint or instituted or caused to be instituted any proceeding or inspection under or relating to this Program Plan.
- i. Any employee who believes that he or she has been discriminated against or discharged in violation of subsection (h) of this section may file a complaint alleging such discrimination with the Safety Director. Such employee may also, within thirty (30) days after such violation occurs, file a complaint with the Commissioner of Labor and Workforce Development alleging such discrimination.
- j. Nothing in this or any other provisions of this Program Plan shall be deemed to authorize or require any employee to undergo medical examination, immunization, or treatment for those who object thereto on religious grounds, except where such is necessary for the protection of the health or safety of others or when a medical examination may be reasonably required for performance of a specific job.
- k. Employees shall report any accident, injury, or illness resulting from their job, however minor it may seem to be, to their supervisor or the Safety Director within twenty-four (24) hours after the occurrence.

V. ADMINISTRATION

- a. The Safety Director of Occupational Safety and Health is designated to perform duties or to exercise powers assigned so as to administer this Occupational Safety and Health Program Plan.
 - 1. The Safety Director may designate person or persons as he deems necessary to carry out his powers, duties, and responsibilities under this Program Plan.
 - 2. The Safety Director may delegate the power to make inspections, provided procedures employed are as effective as those employed by the Safety Director.
 - 3. The Safety Director shall employ measures to coordinate, to the extent possible, activities of all departments to promote efficiency and to minimize any inconveniences under this Program Plan.
 - 4. The Safety Director may request qualified technical personnel from any department or section of government to assist him in making compliance inspections, accident investigations, or as he may

otherwise deem necessary and appropriate in order to carry out his duties under this Program Plan.

5. The Safety Director shall prepare the report to the Commissioner of Labor and Workforce Development required by subsection (g) of Section 1 of this plan.
 6. The Safety Director shall make or cause to be made periodic and follow-up inspections of all facilities and worksites where employees of this employer are employed. He shall make recommendations to correct any hazards or exposures observed. He shall make or cause to be made any inspections required by complaints submitted by employees or inspections requested by employees.
 7. The Safety Director shall assist any officials of the employer in the investigation of occupational accidents or illnesses.
 8. The Safety Director shall maintain or cause to be maintained records required under Section VIII of this plan.
 9. **The Safety Director shall, in the eventuality that there is a fatality or an accident resulting in the hospitalization of three or more employees insure that the Commissioner of Labor and Workforce Development receives notification of the occurrence within eight (8) hours.**
- b. The administrative or operational head of each department, division, board, or other agency of this employer shall be responsible for the implementation of this Occupational Safety and Health Program Plan within their respective areas.
1. The administrative or operational head shall follow the directions of the Safety Director on all issues involving occupational safety and health of employees as set forth in this plan.
 2. The administrative or operational head shall comply with all abatement orders issued in accordance with the provisions of this plan or request a review of the order with the Safety Director within the abatement period.
 3. The administrative or operational head should make periodic safety surveys of the establishment under his jurisdiction to become aware of hazards or standards violations that may exist and make an attempt to immediately correct such hazards or violations.
 4. The administrative or operational head shall investigate all occupational accidents, injuries, or illnesses reported to him. He shall report such accidents, injuries, or illnesses to the Safety Director along with his findings and/or recommendations in accordance with APPENDIX IV of this plan.

VI. STANDARDS AUTHORIZED

The standards adopted under this Program Plan are the applicable standards developed and promulgated under Section VI (6) of the Tennessee Occupational Safety and Health Act of 1972. Additional standards may be promulgated by the governing body of this employer as that body may deem necessary for the safety and health of employees. Note: 29 CFR 1910 General Industry Regulations; 29 CFR 1926 Construction Industry Regulations; and the Rules of Tennessee Department of Labor and Workforce Development Occupational Safety and Health, CHAPTER 0800-01-1 through CHAPTER 0800-01-11 are the standards and rules invoked.

VII. VARIANCE PROCEDURE

The Safety Director may apply for a variance as a result of a complaint from an employee or of his knowledge of certain hazards or exposures. The Safety Director should definitely believe that a variance is needed before the application for a variance is submitted to the Commissioner of Labor and Workforce Development.

The procedure for applying for a variance to the adopted safety and health standards is as follows:

- a. The application for a variance shall be prepared in writing and shall contain:
 1. A specification of the standard or portion thereof from which the variance is sought.
 2. A detailed statement of the reason(s) why the employer is unable to comply with the standard supported by representations by qualified personnel having first-hand knowledge of the facts represented.
 3. A statement of the steps employer has taken and will take (with specific date) to protect employees against the hazard covered by the standard.
 4. A statement of when the employer expects to comply and what steps have or will be taken (with dates specified) to come into compliance with the standard.
 5. A certification that the employer has informed employees, their authorized representative(s), and/or interested parties by giving them a copy of the request, posting a statement summarizing the application (to include the location of a copy available for examination) at the places where employee notices are normally posted and by other appropriate means. The certification shall contain a description of the means actually used to inform employees and that employees have been informed of their right to petition the Commissioner of Labor and Workforce Development for a hearing.
- b. The application for a variance should be sent to the Commissioner of Labor and Workforce Development by registered or certified mail.
- c. The Commissioner of Labor and Workforce Development will review the application for a variance and may deny the request or issue an order granting the variance. An order granting a variance shall be issued only if it has been established that:
 1. The employer
 - i. Is unable to comply with the standard by the effective date because of unavailability of professional or technical personnel or materials and equipment required or necessary construction or alteration of facilities or technology.
 - ii. Has taken all available steps to safeguard employees against the hazard(s) covered by the standard.
 - iii. Has as effective Program Plan for coming into compliance with the standard as quickly as possible.
 2. The employee is engaged in an experimental Program Plan as described in subsection (b), section 13 of the Act.
- d. A variance may be granted for a period of no longer than is required to achieve compliance or one (1) year, whichever is shorter.

- e. Upon receipt of an application for an order granting a variance, the Commissioner to whom such application is addressed may issue an interim order granting such a variance for the purpose of permitting time for an orderly consideration of such application. No such interim order may be effective for longer than one hundred eighty (180) days.
- f. The order or interim order granting a variance shall be posted at the worksite and employees notified of such order by the same means used to inform them of the application for said variance (see subsection (a)(5) of this section).

VIII. RECORDKEEPING AND REPORTING

- a. Recording and reporting of all occupational accident, injuries, and illnesses shall be in accordance with instructions and on forms prescribed in the booklet. You can get a copy of the Forms for Recordkeeping from the internet. Go to www.osha.gov and click on Recordkeeping Forms located on the home page.
- b. The position responsible for recordkeeping is shown on the SAFETY AND HEALTH ORGANIZATIONAL CHART, Appendix IV to this plan.
- c. Details of how reports of occupational accidents, injuries, and illnesses will reach the recordkeeper are specified by ACCIDENT REPORTING PROCEDURES, Appendix IV to this plan. The Rule of Tennessee Department of Labor and Workforce Development Occupational Safety and Health, OCCUPATIONAL SAFETY AND HEALTH RECORD-KEEPING AND REPORTING, CHAPTER 0800-01-03, as authorized by T.C.A., Title 50.

IX. EMPLOYEE COMPLAINT PROCEDURE

If any employee feels that he is assigned to work in conditions which might affect his health, safety, or general welfare at the present time or at any time in the future, he should report the condition to the Safety Director of Occupational Safety and Health.

- a. The complaint should be in the form of a letter and give details on the condition(s) and how the employee believes it affects or will affect his health, safety, or general welfare. The employee should sign the letter but need not do so if he wishes to remain anonymous (see subsection (h) of Section 1 of this plan).
- b. Upon receipt of the complaint letter, the Safety Director will evaluate the condition(s) and institute any corrective action, if warranted. Within ten (10) working days following the receipt of the complaint, the Safety Director will answer the complaint in writing stating whether or not the complaint is deemed to be valid and if no, why not, what action has been or will be taken to correct or abate the condition(s), and giving a designated time period for correction or abatement. Answers to anonymous complaints will be posted upon bulletin boards or other places of common passage where the anonymous complaint may be reasonably expected to be seen by the complainant for a period of three (3) working days.
- c. If the complainant finds the reply not satisfactory because it was held to be invalid, the corrective action is felt to be insufficient, or the time period for correction is felt to be too long, he may forward a letter to the Chief Executive Officer or to the governing body explaining the condition(s) cited in his original complaint and why he believes the answer to be inappropriate or insufficient.
- d. The Chief Executive Officer or a representative of the governing body will evaluate the complaint and will

begin to take action to correct or abate the condition(s) through arbitration or administrative sanctions or may find the complaint to be invalid. An answer will be sent to the complainant within ten (10) working days following receipt of the complaint or the next regularly scheduled meeting of the governing body following receipt of the complaint explaining decisions made and action taken or to be taken.

- e. After the above steps have been followed and the complainant is still not satisfied with the results, he may then file a complaint with the Commissioner of Labor and Workforce Development. Any complaint filed with the Commissioner of Labor and Workforce Development in such cases shall include copies of all related correspondence with the Safety Director and the Chief Executive Officer or the representative of the governing body.
- f. Copies of all complaint and answers thereto will be filed by the Safety Director who shall make them available to the Commissioner of Labor and Workforce Development or his designated representative upon request.

X. EDUCATION AND TRAINING

a. Safety Director and/or Compliance Inspector(s):

- 1. Arrangements will be made for the Safety Director and/or Compliance Inspector(s) to attend training seminars, workshops, etc., conducted by the State of Tennessee or other agencies. A list of Seminars can be obtained.
- 2. Access will be made to reference materials such as 29 CFR 1910 General Industry Regulations; 29 CFR 1926 Construction Industry Regulations; The Rules of Tennessee Department of Labor and Workforce Development Occupational Safety and Health, and other equipment/supplies, deemed necessary for use in conducting compliance inspections, conducting local training, wiring technical reports, and informing officials, supervisors, and employees of the existence of safety and health hazards will be furnished.

b. All Employees (including supervisory personnel):

A suitable safety and health training program for employees will be established. This program will, as a minimum:

- 1. Instruct each employee in the recognition and avoidance of hazards or unsafe conditions and of standards and regulations applicable to the employees work environment to control or eliminate any hazards, unsafe conditions, or other exposures to occupational illness or injury.
- 2. Instruct employees who are required to handle or use poisons, acids, caustics, toxicants, flammable liquids, or gases including explosives, and other harmful substances in the proper handling procedures and use of such items and make them aware of the personal protective measures, person hygiene, etc., which may be required.
- 3. Instruct employees who may be exposed to environments where harmful plants or animals are present, of the hazards of the environment, how to best avoid injury or exposure, and the first aid procedures to be followed in the event of injury or exposure.
- 4. Instruct all employees of the common deadly hazards and how to avoid them, such as Falls; Equipment Turnover; Electrocution; Struck by/Caught In; Trench Cave In; Heat Stress and Drowning.
- 5. Instruct employees on hazards and dangers of confined or enclosed spaces.

- i. Confined or enclosed space means space having a limited means of egress and which is subject to the accumulation of toxic or flammable contaminants or has an oxygen deficient atmosphere. Confined or enclosed spaces include, but are not limited to, storage tanks, boilers, ventilation or exhaust ducts, sewers, underground utility accesses, tunnels, pipelines, and open top spaces more than four feet (4) in depth such as pits, tubs, vaults, and vessels.
- ii. Employees will be given general instruction on hazards involved, precautions to be taken, and on use of personal protective and emergency equipment required. They shall also be instructed on all specific standards or regulations that apply to work in dangerous or potentially dangerous areas.
- iii. The immediate supervisor of any employee who must perform work in a confined or enclosed space shall be responsible for instructing employees on danger of hazards which may be present, precautions to be taken, and use of personal protective and emergency equipment, immediately prior to their entry into such an area and shall require use of appropriate personal protective equipment.

XI. GENERAL INSPECTION PROCEDURES

It is the intention of the governing body and responsible officials to have an Occupational Safety and Health Program Plan that will insure the welfare of employees. In order to be aware of hazards, periodic inspections must be performed. These inspections will enable the finding of hazards or unsafe conditions or operations that will need correction in order to maintain safe and healthful worksites. Inspections made on a pre-designated basis may not yield the desired results. Inspections will be conducted, therefore, on a random basis at intervals not to exceed thirty (30) calendar days.

- a. In order to carry out the purposes of this Resolution, the Safety Director and/or Compliance Inspector(s), if appointed, is authorized:
 1. To enter at any reasonable time, any establishment, facility, or worksite where work is being performed by an employee when such establishment, facility, or worksite is under the jurisdiction of the employer and;
 2. To inspect and investigate during regular working hours and at other reasonable times, within reasonable limits, and in a reasonable manner, any such place of employment and all pertinent conditions, processes, structures, machines, apparatus, devices, equipment, and materials therein, and to question privately any supervisor, operator, agent, or employee working therein.
- b. If an imminent danger situation is found, alleged, or otherwise brought to the attention of the Safety Director or Inspector during a routine inspection, he shall immediately inspect the imminent danger situation in accordance with Section XII of this plan before inspecting the remaining portions of the establishment, facility, or worksite.
- c. An administrative representative of the employer and a representative authorized by the employees shall be given an opportunity to consult with and/or to accompany the Safety Director or Inspector during the physical inspection of any worksite for the purpose of aiding such inspection.
- d. The right of accompaniment may be denied any person whose conduct interferes with a full and orderly inspection.
- e. The conduct of the inspection shall be such as to preclude unreasonable disruptions of the operation(s) of the

workplace.

- f. Interviews of employees during the course of the inspection may be made when such interviews are considered essential to investigative techniques.
- g. Advance Notice of Inspections.
 - 1. Generally, advance notice of inspections will not be given as this precludes the opportunity to make minor or temporary adjustments in an attempt to create misleading impression of conditions in an establishment.
 - 2. There may be occasions when advance notice of inspections will be necessary in order to conduct an effective inspection or investigation. When advance notice of inspection is given, employees or their authorized representative(s) will also be given notice of the inspection.
- h. The Safety Director need not personally make an inspection of each and every worksite once every thirty (30) days. He may delegate the responsibility for such inspections to supervisors or other personnel provided:
 - 1. Inspections conducted by supervisors or other personnel are at least as effective as those made by the Safety Director.
 - 2. Records are made of the inspections, any discrepancies found and corrective actions taken. This information is forwarded to the Safety Director.
- i. The Safety Director shall maintain records of inspections to include identification of worksite inspected, date of inspection, description of violations of standards or other unsafe conditions or practices found, and corrective action taken toward abatement. Those inspection records shall be subject to review by the Commissioner of Labor and Workforce Development or his authorized representative.

XII. IMMEDIATE DANGER PROCEDURES

- a. Any discovery, any allegation, or any report of imminent danger shall be handled in accordance with the following procedures:
 - 1. The Safety Director shall immediately be informed of the alleged imminent danger situation and he shall immediately ascertain whether there is a reasonable basis for the allegation.
 - 2. If the alleged imminent danger situation is determined to have merit by the Safety Director, he shall make or cause to be made an immediate inspection of the alleged imminent danger location.
 - 3. As soon as it is concluded from such inspection that conditions or practices exist which constitutes an imminent danger, the Safety Director or Compliance Inspector shall attempt to have the danger corrected. All employees at the location shall be informed of the danger and the supervisor or person in charge of the worksite shall be requested to remove employees from the area, if deemed necessary.
 - 4. The administrative or operational head of the workplace in which the imminent danger exists, or his authorized representative, shall be responsible for determining the manner in which the imminent danger situation will be abated. This shall be done in cooperation with the Safety Director or Compliance Inspector and to the mutual satisfaction of all parties involved.

5. The imminent danger shall be deemed abated if:
 - i. The imminence of the danger has been eliminated by removal of employees from the area of danger.
 - ii. Conditions or practices which resulted in the imminent danger have been eliminated or corrected to the point where an unsafe condition or practice no longer exists.
6. A written report shall be made by or to the Safety Director describing in detail the imminent danger and its abatement. This report will be maintained by the Safety Director in accordance with subsection (i) of Section XI of this plan.

b. Refusal to Abate.

1. Any refusal to abate an imminent danger situation shall be reported to the Safety Director and Chief Executive Officer immediately.
2. The Safety Director and/or Chief Executive Officer shall take whatever action may be necessary to achieve abatement.

XIII. ABATEMENT ORDERS AND HEARINGS

- a. Whenever, as a result of an inspection or investigation, the Safety Director or Compliance Inspector(s) finds that a worksite is not in compliance with the standards, rules or regulations pursuant to this plan and is unable to negotiate abatement with the administrative or operational head of the worksite within a reasonable period of time, the Safety Director shall:
 1. Issue an abatement order to the head of the worksite.
 2. Post or cause to be posted, a copy of the abatement order at or near each location referred to in the abatement order.
- b. Abatement orders shall contain the following information:
 1. The standard, rule, or regulation which was found to violated.
 2. A description of the nature and location of the violation.
 3. A description of what is required to abate or correct the violation.
 4. A reasonable period of time during which the violation must be abated or corrected.
- c. At any time within ten (10) days after receipt of an abatement order, anyone affected by the order may advise the Safety Director in writing of any objections to the terms and conditions of the order. Upon receipt of such objections, the Safety Director shall act promptly to hold a hearing with all interested and/or responsible parties in an effort to resolve any objections. Following such hearing, the Safety Director shall, within three (3) working days, issue an abatement order and such subsequent order shall be binding on all parties and shall be final.

XIV. PENALTIES

- a. No civil or criminal penalties shall be issued against any official, employee, or any other person for failure to

comply with safety and health standards or any rules or regulations issued pursuant to this Program Plan.

- b. Any employee, regardless of status, who willfully and/or repeatedly violates, or causes to be violated, any safety and health standard, rule, or regulation or any abatement order shall be subject to disciplinary action by the appointing authority. It shall be the duty of the appointing authority to administer discipline by taking action in one of the following ways as appropriate and warranted:
 - 1. Oral reprimand.
 - 2. Written reprimand.
 - 3. Suspension for three (3) or more working days.
 - 4. Termination of employment.

XV. CONFIDENTIALITY OF PRIVILEGED INFORMATION

All information obtained by or reported to the Safety Director pursuant to this plan of operation or the legislation (resolution, or executive order) enabling this Occupational Safety and Health Program Plan which contains or might reveal information which is otherwise privileged shall be considered confidential. Such information may be disclosed to other officials or employees concerned with carrying out this Program Plan or when relevant in any proceeding under this Program Plan. Such information may also be disclosed to the Commissioner of Labor and Workforce Development or their authorized representatives in carrying out their duties under the Tennessee Occupational Safety and Health Act of 1972.

XVI. DISCRIMINATION INVESTIGATIONS AND SANCTIONS

The Rule of Tennessee Department of Labor and Workforce Development Occupational Safety and Health, DISCRIMINATION AGAINST EMPLOYEES EXERCISING RIGHTS UNDER THE OCCUPATIONAL SAFETY AND HEALTH ACT OF 1972 0800-01-08, as authorized by T.C.A., Title 50. The agency agrees that any employee who believes they have been discriminated against or discharged in violation of Tenn. Code Ann § 50-3-409 can file a complaint with their agency/safety Safety Director within 30 days, after the alleged discrimination occurred. Also, the agency agrees the employee has a right to file their complaint with the Commissioner of Labor and Workforce Development within the same 30 day period. The Commissioner of Labor and Workforce Development may investigate such complaints, make recommendations, and/or issue a written notification of a violation.

XVII. COMPLIANCE WITH OTHER LAWS NOT EXCUSED

- a. Compliance with any other law, statute, resolution, or executive order, which regulates safety and health in employment and places of employment, shall not excuse the employer, the employee, or any other person from compliance with the provisions of this Program Plan.
- b. Compliance with any provisions of this Program Plan or any standard, rule, regulation, or order issued pursuant to this Program Plan shall not excuse the employer, the employee, or any other person from compliance with the law, statute, resolution, or executive order, as applicable, regulating and promoting safety and health unless such law, statute, resolution, or executive order, as applicable, is specifically repealed.

Signature: Safety Director, Occupational Safety and Health and Date

APPENDIX – II NOTICE TO ALL EMPLOYEES

NOTICE TO ALL EMPLOYEES OF **MONTGOMERY COUNTY GOVERNMENT**

The Tennessee Occupational Safety and Health Act of 1972 provide job safety and health protection for Tennessee workers through the promotion of safe and healthful working conditions. Under a plan reviewed by the Tennessee Department of Labor and Workforce Development, this government, as an employer, is responsible for administering the Act to its employees. Safety and health standards are the same as State standards and jobsite inspections will be conducted to insure compliance with the Act.

Employees shall be furnished conditions of employment and a place of employment free from recognized hazards that are causing or are likely to cause death or serious injury or harm to employees.

Each employee shall comply with occupational safety and health standards and all rules, regulations, and orders issued pursuant to this Program Plan which are applicable to his or her own actions and conduct.

Each employee shall be notified by the placing upon bulletin boards or other places of common passage of any application for a temporary variance from any standard or regulation.

Each employee shall be given the opportunity to participate in any hearing which concerns an application for a variance from a standard.

Any employee who may be adversely affected by a standard or variance issued pursuant to this Program Plan may file a petition with the Safety Director or **COUNTY MAYOR**.

Any employee who has been exposed or is being exposed to toxic materials or harmful physical agents in concentrations or at levels in excess of that provided for by an applicable standard shall be notified by the employer and informed of such exposure and corrective action being taken.

Subject to regulations issued pursuant to this Program Plan, any employee or authorized representative(s) of employees shall be given the right to request an inspection.

No employee shall be discharged or discriminated against because such employee has filed any complaint or instituted or caused to be instituted any proceedings or inspection under, or relating to, this Program Plan.

Any employee who believes he or she has been discriminated against or discharged in violation of these sections may, within thirty (30) days after such violation occurs, have an opportunity to appear in a hearing before the **LOSS CONTROL COMMITTEE** for assistance in obtaining relief or to file a complaint with the Commissioner of Labor and Workforce Development alleging such discrimination.

A copy of the Occupational Safety and Health Program Plan for the Employees of **MONTGOMERY COUNTY GOVERNMENT** is available for inspection by any employee at **HUMAN RESOURCES, 1 MILLENNIUM PLAZA, SUITE 111** during regular office hours.

Signature: (City/County) MAYOR AND DATE

APPENDIX - III PROGRAM PLAN BUDGET

STATEMENT OF FINANCIAL RESOURCE AVAILABILITY

Be assured that **MONTGOMERY COUNTY GOVERNMENT** has sufficient financial resources available or will make sufficient financial resources available as may be required in order to administer and staff its Occupational Safety and Health Program Plan and to comply with standards.

APPENDIX – IV ACCIDENT REPORTING PROCEDURES

- (1-15) Employees shall report all accidents, injuries, or illnesses directly to the Safety Director as soon as possible, but not later than twenty-four (24) hours after the occurrence. Such reports may be verbal or in writing. All fatalities or accidents involving the hospitalization of three (3) or more employees shall be reported to the Safety Director and/or record keeper immediately, either by telephone or verbally, and will be followed by a written report within four (4) hours after their occurrence. The Safety Director will insure completion of required reports and records in accordance with Section VIII of the basic plan.
- (16-50) Employees shall report all accidents, injuries, or illnesses to their supervisor as soon as possible, but not later than two (2) hours after the occurrence. All fatalities or accidents involving the hospitalization of three (3) or more employees shall be reported to the Safety Director and/or record keeper immediately, either by telephone or verbally, and will be followed by a written report within four (4) hours after their occurrence. The supervisor will investigate the accident or illness, complete an accident report, and forward the accident report to the Safety Director and/or record keeper within twenty-four (24) hours of the time the accident or injury occurred or the time of the first report of the illness.
- (51-250) Employees shall report all accidents, injuries, or illnesses to their supervisors as soon as possible, but not later than two (2) hours after the occurrence. The supervisor will provide the Safety Director and/or record keeper with the name of the injured or ill employee and a brief description of the accident or illness by telephone as soon as possible, but not later than four (4) hours, after the accident or injury occurred or the time of the first report of the illness. All fatalities or accidents involving the hospitalization of three (3) or more employees shall be reported to the Safety Director and/or record keeper immediately, either by telephone or verbally, and will be followed by a written report within four (4) hours after their occurrence. The supervisor will then make a thorough investigation of the accident or illness (with the assistance of the Safety Director or Compliance Inspector, if necessary) and will complete a written report on the accident or illness and forward it to the Safety Director within seventy-two (72) hours after the accident, injury, or first report of illness and will provide one (1) copy of the written report to the recordkeeper.
- (251-Plus) Employees shall report all accidents, injuries, or illnesses to their supervisors as soon as possible, but not later than two (2) hours after their occurrence. The supervisor will provide the administrative head of the department with a verbal or telephone report of the accident as soon as possible, but not later than four (4) hours, after the accident. If the accident involves loss of consciousness, a fatality, broken bones, severed body member, or third degree burns, the Safety Director will be notified by telephone immediately and will be given the name of the injured, a description of the injury, and a brief description of how the accident occurred. The supervisor or the administrative head of the accident within seventy-two (72) hours after the accident occurred (four (4) hours in the event of accidents involving a fatality or the hospitalization of three (3) or more employees).

Since Workers Compensation Form 6A or OSHA NO. 301 Form must be completed; all reports submitted in writing to the person responsible for recordkeeping shall include the following information as a minimum:

1. Accident location, if different from employer's mailing address and state whether accident occurred on premises owned or operated by employer.

2. Name, social security number, home address, age, sex, and occupation (regular job title) of injured or ill employee.
3. Title of the department or division in which the injured or ill employee is normally employed.
4. Specific description of what the employee was doing when injured.
5. Specific description of how the accident occurred.
6. A description of the injury or illness in detail and the part of the body affected.
7. Name of the object or substance which directly injured the employee.
8. Date and time of injury or diagnosis of illness.
9. Name and address of physician, if applicable.
10. If employee was hospitalized, name and address of hospital.
11. Date of report.

NOTE: A procedure such as one of those listed above or similar information is necessary to satisfy Item Number 4 listed under PROGRAM PLAN in Section V. ADMINISTRATION, Part b of the Tennessee Occupational Safety and Health Plan. This information may be submitted in flow chart form instead of in narrative form if desired. These procedures may be modified in any way to fit local situations as they have been prepared as a guide only.

The four (4) procedures listed above are based upon the size of the work force and relative complexity of the organization. The approximate size of the organization for which each procedure is suggested is indicated in parenthesis in the left hand margin at the beginning, i.e., (1-15), (16-50), (51-250), and (251 Plus), and the figures relate to the total number of employees including the Chief Executive Officer but excluding the governing body (County Court, City Council, Board of Directors, etc.).

Generally, the more simple an accident reporting procedure is, the more effective it is. Please select the one procedure listed above, or prepare a similar procedure or flow chart, which most nearly fits what will be the most effective for your local situation. Note also that the specific information listed for written reports applies to all three of the procedures listed for those organizations with sixteen (16) or more employees.