

BOARD OF COMMISSIONERS

AGENDA

MAY 12, 2014

CALL TO ORDER

PLEDGE OF ALLEGIANCE

INVOCATION – Chaplain Joe Creek

ROLL CALL

APPROVAL OF APRIL 14, 2014 MINUTES

PRESENTATION

1. Dr. B.J. Worthington
2. Nick Powell – Capital Project Update

VOTE ON ZONING RESOLUTION

CZ-3-2014: Application of James D. Herald from E-1 to AG

VOTE ON OTHER RESOLUTIONS

- 14-5-1:** Resolution Authorizing Submission of an Application for a Grant to Continue the Litter and Trash Collection Program Contracted with the Tennessee Department of Transportation
- 14-5-2:** Resolution to Approve an Interlocal Contract Between Montgomery County and the City of Clarksville
- 14-5-3:** Resolution to Request Unclaimed Balance of Accounts Remitted to the State Treasurer under the Unclaimed Property Act
- 14-5-4:** Resolution Revising the Animal Control and Adoption Service Committee Meetings from Quarterly to Bi-Monthly

UNFINISHED BUSINESS

REPORTS

1. County Clerk's Report – (requires approval by Commission)

REPORTS FILED

1. Highway Department: County Road List, January – March 2014 (needs approval)
2. April 2014 Adequate Facilities Tax and Permit Revenue Reports
3. **Accounts & Budgets Monthly Report**
4. **Trustee's Report**
5. **Highway Department: Quarterly Report (Jan. – March, 2014)**

NOMINATING COMMITTEE APPOINTMENT – Loretta Bryant, Chairperson

COUNTY MAYOR APPOINTMENTS – Mayor Carolyn Bowers

ANNOUNCEMENTS

ADJOURN

**RESOLUTION OF THE MONTGOMERY COUNTY BOARD OF
COMMISSIONERS
AMENDING THE ZONE CLASSIFICATION OF THE PROPERTY OF
JAMES D. HERALD**

WHEREAS, an application for a zone change from E-1 Single-Family Estate District to AG Agricultural District has been submitted by James D. Herald and

WHEREAS, said property is identified as County Tax Map 159, parcel 17.04, containing 3.5 +/- acres, situated in Civil District 13, fronting on the northern ROW of Batson Mill Rd. located 3,070 +/- feet east of the Ryes Chapel Rd. & Batson Mill Rd. intersection.; and

WHEREAS, said property is described as follows:

Beginning at a point marked by an iron rod set in the northerly margin of the right of way of Batson Mill Road, said point marking the south westerly corner of the herein described tract, and the southeasterly corner of the lands of Mary Irene Carr and said point being located 2770 feet, more or less, easterly of Rye's Church Road; thence north 18 degrees 23 minutes 51 seconds east 367.52 feet along the easterly line of said Mary Irene Carr lands to a point marked by a 24 inch white oak; thence north 11 degrees 34 minutes 54 seconds east 85.09 feet along a fence line marking the easterly boundary of said Mary Irene Carr lands to a point marked by an iron rod; thence north 78 degrees 59 minutes 13 seconds west 262.45 feet along the southerly boundary of lands retained herein Grantor to a point marked by an iron rod; thence south 4 degrees 01 minute 21 seconds east 411.85 feet along the westerly boundary of lands retained by the herein Grantor to a point marked by an iron rod set in the northerly margin of the right of way of Batson Mill Road; thence south 85 degrees 58 minutes 21 seconds west 301.79 feet along the northerly margin of the right of way of Batson Mill Road to a point thence northerly and westerly along a curve with the delta of 44 degrees 5 minutes 55 seconds, a radius of 120 feet, a tangent of 48.60 feet, a length of 92.36 feet and a chord of north 71 degrees 58 minutes 21 seconds west 90.10 feet along the northerly margin of the right of way of Batson Mill Road to a point thence northerly and westerly along a curve with a delta of 10 degrees 16 minutes 24 seconds, a radius of 217.06 feet, a tangent of 19.51 feet, a length of 38.92 feet and a chord of north 55 degrees 03 minutes 32 seconds west 38.87 feet along the northerly margin of the right of way of Batson Mill Road to the point or place of beginning, containing 3.507 acres more or less, further identified as Tax Map 159, Parcel 17.04.

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 12th day of May, 2014, that the zone classification of the property of James D. Herald from E-1 to AG is hereby approved.

Duly passed and approved this 12th day of May, 2014.

Sponsor David A. Riffe
Commissioner Mark L. Riffe
Approved _____

Attested: _____
County Clerk

County Mayor

RESOLUTION AUTHORIZING SUBMISSION OF AN APPLICATION FOR A GRANT TO CONTINUE THE LITTER AND TRASH COLLECTION PROGRAM CONTRACTED WITH THE TENNESSEE DEPARTMENT OF TRANSPORTATION

WHEREAS, Montgomery County previously entered into a Litter and Trash Collection Grant Contract with the Tennessee Department of Transportation; and

WHEREAS, the Tennessee Department of Transportation has advised the County Mayor that funding allocations for the Litter Pickup Program for Fiscal Year 2014-2015 have been made with Montgomery County receiving an allocation of grant monies in the amount of \$70,600.00, and the remaining funds required for the litter and trash collection program would be the responsibility of Montgomery County in the amount of \$40,017.90, for a total program cost of \$110,617.90; and

WHEREAS, the Tennessee Department of Transportation has advised that Montgomery County can apply for these funds in the same manner as the past grant program.

NOW, THEREFORE, BE IT RESOLVED by the Montgomery County Board of Commissioners assembled in regular business session on this 12th day of May, 2014 that the County Mayor is hereby authorized to apply on behalf of Montgomery County for a grant to continue the Litter and Trash Collection Program to June 30, 2015.

BE IT FURTHER RESOLVED that should said application be approved by the Tennessee Department of Transportation, then the County Mayor is authorized to execute contracts or other necessary documents which may be required to signify acceptance of the Litter and Trash Collection Grant by Montgomery County, and the Director of Accounts and Budgets shall establish the necessary fund accounts providing for related revenues and expenditures stated in the fully executed contract. This resolution intended to have the effect of appropriation to that purpose accordingly.

Duly passed and approved this 12th day of May, 2014.

Sponsor _____

Commissioner _____

Approved _____

County Mayor

Attest _____

County Clerk

**RESOLUTION TO APPROVE AN INTERLOCAL CONTRACT BETWEEN
MONTGOMERY COUNTY AND THE CITY OF CLARKSVILLE**

WHEREAS, Montgomery County and the City of Clarksville entered into a Site Location and Development Agreement with Hankook Tire Manufacturing, Tennessee, L.P., which mandated the construction of a joint City Fire Rescue and County Emergency Medical Service facility on certain real estate located within the Clarksville-Montgomery County Industrial Park; and

WHEREAS, the Fire Rescue and Emergency Medical Service facilities will benefit the residents in the surrounding area in addition to Hankook Tire Manufacturing, Tennessee, L.P.; and

WHEREAS, the Interlocal Contract attached hereto as Exhibit "A" was drafted in an effort to specify the duties and responsibilities of the County and City for the development of the joint Fire Rescue and Emergency Medical Service facilities.

NOW, THEREFORE, BE IT RESOLVED by the Montgomery County Board of Commissioners meeting in regular business session on this 12th day of May, 2014, that the Interlocal Contract attached hereto as Exhibit "A" is hereby approved.

Duly passed and approved this 12th day of May, 2014.

Sponsor _____

Commissioner _____

Approved _____

County Mayor

Attested _____

County Clerk

INTERLOCAL CONTRACT

This interlocal contract is made and entered into this _____ day of _____, 2014 by and between Montgomery County, Tennessee hereinafter referred to as "County" and the City of Clarksville, Tennessee hereinafter referred to as "City".

Pursuant to a site location and development agreement signed between both parties and Hankook Tire Manufacturing Tennessee, L.P. the City and the County agreed to build a joint Fire Rescue and Emergency Medical Service upon a suitable site within the Clarksville-Montgomery County Industrial Park. To effectuate this purpose the parties covenant and agree as follows:

1. Both parties covenant and agree that the site for this project as set out in Exhibit "A" attached hereto shall be deeded from the Industrial Development Board to the parties jointly and equally.
2. Both parties acknowledge that the Industrial Development Board will provide \$600,000.00 in funding which is to be equally distributed between City and County.
3. Both parties agree that the state of Tennessee will provide \$800,000.00 in funding which is to be equally distributed between City and County.
4. All remaining funding for this project shall be provided as is required to construct each agency's facility.
5. All architectural and design fees will be determined and apportioned between County and City by the architect selected for the project.
6. All site preparation costs shall be shared equally between the parties. Elements to be included in the site preparation component shall be determined by the Architect/Engineer during the design stage and agreed upon by both agencies prior to the bid.
7. Both parties agree that County shall establish an escrow account for receipt of all monies necessary to fund the entire project. County shall have sole signatory power on said account and shall pay all invoices when due.
8. County shall be the lead agency on the project and shall ensure that all contracts, bids or other necessary documents are properly procured and executed. City shall have the right to provide its own insight and input as is deemed necessary.
9. One contract and one bid shall be procured both of which shall be comprised of three components:
 - a. Site development.
 - b. Construction of the city fire department building.
 - c. Construction of the emergency medical services building.Each invoice submitted to County for payment shall be divided so as to itemize specifically each cost contributable to City and County.
10. After construction is complete on the project the site will be partitioned and deeded to each party individually. Both parties agree to jointly construct and maintain an ingress and egress easement to service both facilities.

11. The successful bid for the project shall bifurcate the costs of the Emergency Medical Services building and the Fire Station so that the costs associated thereto can be distributed to each party. County shall be responsible for all costs associated with the Emergency Medical Service building and City shall be responsible for all costs associated with the City Fire Station.
12. For the purpose of the site development within the Clarksville-Montgomery County Industrial Park, Montgomery County Building and Codes, along with its associated adopted building code will be used for the review, inspection, and approval of each facility.

Montgomery County

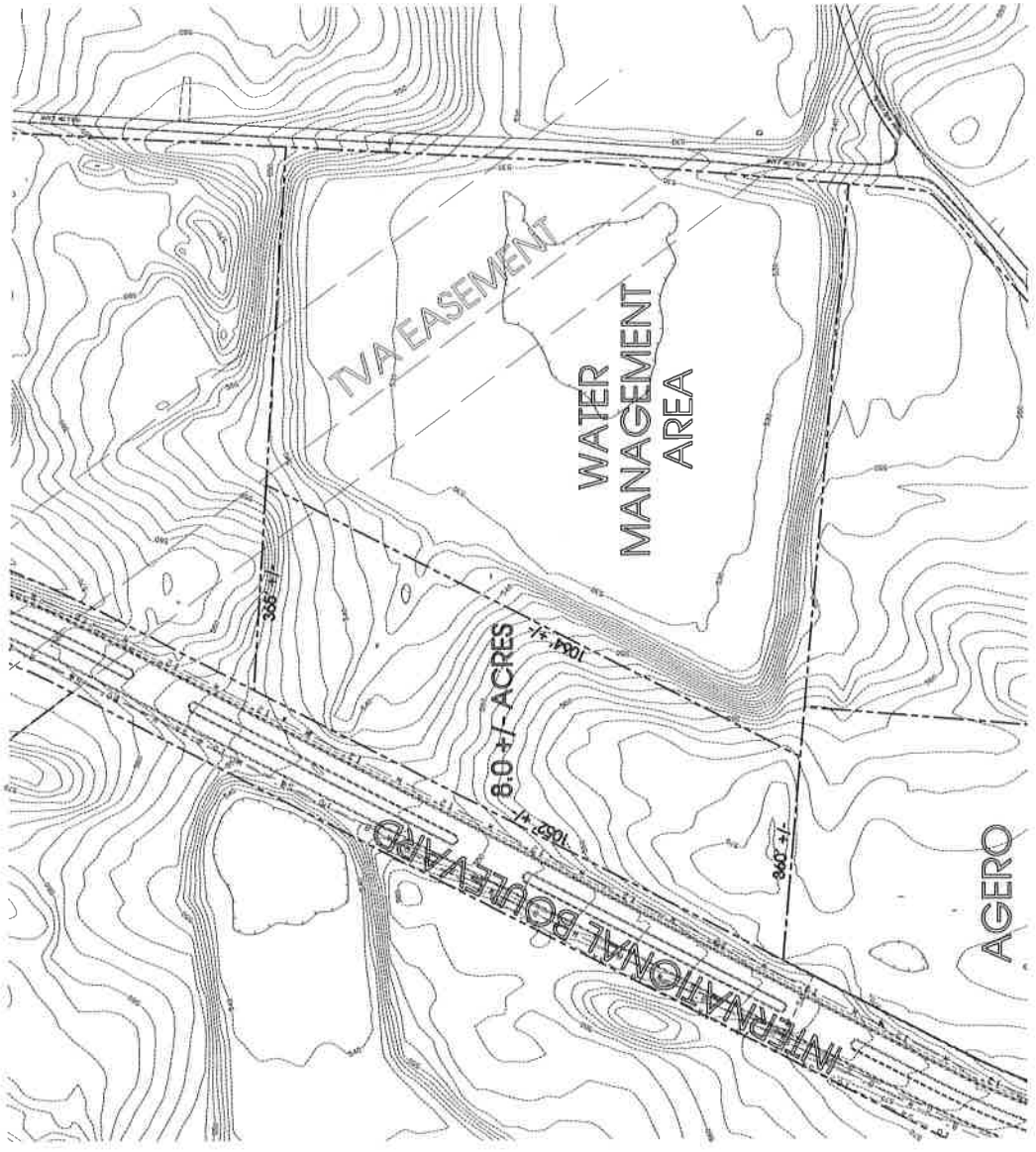
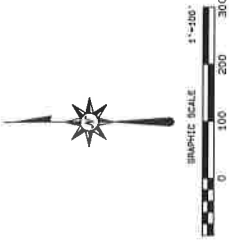
City of Clarksville

DBS & Associates
 Engineers • Surveyors • Planners
 P.O. Box 949
 Clarksville, TN 37041-0949
 Phone (931) 647-9999 Fax (931) 647-1135
 www.dbseng.com

EM5/FIRE STATION 12
PROPERTY EXHIBIT DRAWING
 CLARKSVILLE
 MONTGOMERY COUNTY, TENNESSEE
 APRIL 10, 2014

DRWN BY:	
CHECKED BY:	
DATE:	
DESCRIPTION:	

EX 1.00



**RESOLUTION TO REQUEST UNCLAIMED BALANCE OF ACCOUNTS
REMITTED TO THE STATE TREASURER UNDER THE
UNCLAIMED PROPERTY ACT**

WHEREAS, Tennessee Code Annotated Section 66-29-102 and Section 66-29-123, as amended by Public Chapter 401, Acts of 1985, provide that a municipality or county in Tennessee may request payment for the unclaimed balance of funds reported and remitted by or on behalf of the local government and its agencies if it exceeds \$100.00, less a proportionate share of the cost administering the program; and

WHEREAS, Montgomery County and/or its agencies have remitted unclaimed accounts to the State Treasurer in accordance with the Uniform Disposition of Unclaimed Property Act; and

WHEREAS, Montgomery County agrees to meet all of the requirements of Tennessee Code Annotated Section 66-29-101 et seq. and to accept liability for future claims against accounts represented in funds paid and to submit an annual report of claims received on these accounts to the State Treasurer by September 1 each year; and

WHEREAS, it is agreed that this local government will retain a sufficient amount to insure prompt payment of allowed claims without deduction for administrative costs or service charges and that the balance of funds will be deposited in this local government’s general fund.

NOW, THEREFORE, BE IT RESOLVED that the Montgomery County Board of Commissioners, meeting in regular business session on this the 12th day of May, 2014, request the State Treasurer to pay the unclaimed balance of funds in accordance with the provisions of Tennessee Code Annotated Section 66-29-121. A list of remittances made by or on behalf of the local government and it agencies is attached hereto.

Duly passed and approved this 12th day of May, 2014.

Sponsor _____

Commissioner _____

Approved _____

County Mayor

Attest _____

County Clerk

RESOLUTION REVISING THE ANIMAL CONTROL AND ADOPTION SERVICE COMMITTEE MEETINGS FROM QUARTERLY TO BI-MONTHLY

WHEREAS, the Rules Committee is charged with the responsibility of analyzing the structure, organization and functions of the various boards, committees and commissions of Montgomery County Government; and

WHEREAS, the current write-up in the Committee Handbook of the Animal Control and Adoption Service Committee references T.C.A. §68-8-101 thru 68-8-115 et seq. as authority which states this committee is to meet quarterly or at the call of the chairman of the committee or a majority of the members of the committee; and

WHEREAS, the Animal Control and Adoption Service Committee currently meets on a quarterly basis; and

WHEREAS, the Rules Committee met on April 10, 2014, and voted to change the meeting schedule of the Animal Control and Adoption Service Committee from quarterly to bi-monthly or every other month beginning July of 2014.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of Montgomery County, Tennessee, meeting in regular business session on this the 12th day of May, 2014, that the Animal Control and Adoption Service Committee will meet on a bi-monthly basis or every other month commencing in July, 2014.

Duly passed and approved this 12th day of May, 2014.

Sponsor _____

Commissioner _____

Approved _____

County Mayor

Attested _____

County Clerk