

CALL TO ORDER

INTRODUCTION OF ANIMAL CONTROL DIRECTOR – Karen Josephson

PUBLIC HEARING REGARDING ZONING

CZ-10-2011: Application of Steward’s Transmission Center, LLC from AG to C-2 / EM-1

CLOSE PUBLIC HEARING

RESOLUTIONS

- 11-9-1:** Resolution to Accept Tennessee Department of Agriculture, Division of Forestry Volunteer Fire Assistance Grant Program
- 11-9-2:** Resolution to Adopt the 2009 Edition of the International Building Code; the 2009 International Residential Code; the 2009 International Plumbing Code; the 2009 International Mechanical Code; the 2009 Fire Code; the 2009 Energy Conservation Code; the 2009 Fuel & Gas Code; the 2009 International Property Maintenance Code; and the 2003 ICC/ANSI A117.1 Accessible & Usable Buildings & Facilities
- 11-9-3:** Resolution to Adopt the Revised Fee Schedule for Permits Issued by the Montgomery County Building and Codes Department

REPORTS

1. Ed Baggett, Nominating Committee Nominations
2. Carolyn Bowers, County Mayor Nominations and Appointments

REPORTS FILED

1. Minutes from August 8, 2011
2. Circuit Court / General Sessions Court – Annual Financial Report
- 3.

CITIZENS TO ADDRESS THE COMMISSION

ANNOUNCEMENTS

1. Reminder: The TCCA Annual Meeting will be held at Paris Landing on September 15. We will be leaving the parking lot across from the Courthouse no later than 4:45. If you have not contacted Debbie Gentry and would like to go, please let her know tonight.

2.

ADJOURN

**RESOLUTION OF THE MONTGOMERY COUNTY BOARD OF COMMISSIONERS
AMENDING THE ZONE CLASSIFICATION OF THE PROPERTY OF STEWARD'S TRANSMISSION CENTER L L C**

WHEREAS, an application for a zone change from AG Agricultural District to C-2 General Commercial District / EM-1 Single Family Mobile Home Estate District has been submitted by Steward's Transmission Center L L C and

WHEREAS, said property is identified as County Tax Map 100, parcel 154.04, containing 1.8 acres, situated in Civil District 13, located North of New Road and west of Antioch Church Road; and

WHEREAS, said property is described as follows:

Commencing at a 1/2" found iron pin lying in the northerly right-of-way line of New Road and lying North 74 degrees 06 minutes 01 seconds West at a distance of 161.1 feet from the point of intersection of the centerline of Antioch Church Road and the centerline of said New Road, said pin marking the southwest corner of property now or formerly standing in the name of Terry Lee Byard, (reference Volume 340 at Page 1905), thence, North 11 degrees 24 minutes 00 seconds East, a distance of 249.58 feet to a point along the westerly boundary line of the Byard property, said point being the true point and place of BEGINNING; thence, with the aforesaid Dan C. Price property, North 73 degrees 33 minutes 28 seconds West a distance of 91.83 feet to a point; thence, continuing with the aforesaid Dan C. Price South 16 degrees 51 minutes 20 seconds West a distance of 90.68 feet to a point; thence, North 80 degrees 23 minutes 07 seconds West a distance of 54.81 feet to a point in the easterly boundary line of the property now or formerly known as the remaining portion of the Dan C. Price property; thence, with the easterly boundary line of the aforementioned Dan C. Price property, North 09 degrees 36 minutes 53 seconds East a distance of 172.00 feet to a 1/2" found iron pin; thence, continuing with the Price property North 11 degrees 11 minutes 09 seconds East a distance of 185.22 feet to 1/2" found iron pin, said pin being the northeast corner of the property described herein; thence, South 60 degrees 18 minutes 55 seconds East a distance of 81.56 feet to a 1/2" found iron pin; thence, South 72 degrees 54 minutes 51 seconds East a distance of 83.91 feet to a 1/2" found iron pin; thence, South 11 degrees 24 minutes 00 seconds West a distance of 239.33 feet with aforesaid westerly line of Byard to a point, said point being the true point and place of BEGINNING and containing 1.0 +/-acres

BEGINNING at a 1/2" found iron pin lying in the northerly right-of-way line of New Road and lying North 74 degrees 06 minutes 01 seconds West at a distance of 161.1 feet from the point of intersection of the centerline of Antioch Church Road and the centerline of said New Road, said pin marking the southwest corner of property now or formerly standing in the name of Terry Lee Byard, (reference Volume 340 at Page 1905), said pin also marking the southeast corner of the property described herein and being the true point and place of BEGINNING; thence, North 84 degrees 19 minutes 30 seconds West a distance of 150.00 feet with aforesaid northerly right-of-way line of New Road to a 1/2" found iron pin, said pin marking the southeast corner of the remaining lands of property now or formerly standing in the name of Dan C. Price, said pin also marking the southwest corner of the property described herein; thence, departing said northerly right-of-way line of New Road North 09 degrees 36 minutes 53 seconds East a distance of 180.73 feet with the easterly line of aforesaid Price to a point; thence, departing aforesaid easterly line of the remaining lands of property now or formerly standing in the name of Dan C. Price South 80 degrees 23 minutes 07 seconds East a distance of 54.81 feet to a point; thence, continuing with the aforesaid Dan C. Price North 16 degrees 51 minutes 20 seconds East a distance of 90.68 feet to a point; thence, South 73 degrees 33 minutes 28 seconds East a distance of 91.83 feet to a point in the westerly line of Byard; thence, South 11 degrees 24 minutes 00 seconds West a distance of 249.58 feet with aforesaid westerly line of Byard to a 1/2" found iron pin lying in the northerly right-of-way line of New Road, said pin being the true point and place of BEGINNING and containing 0.80 +/-acres

WHEREAS, the Planning Commission staff recommends DISAPPROVAL 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 September, 2011, that the zone classification of the property of Steward's Transmission Center L L C from AG to C-2 / EM-1 is hereby approved.

Duly passed and approved this 12th day of September, 2011.

Sponsor David A. Higgins
Commissioner _____
Approved _____

Attested: _____
County Clerk _____

**RESOLUTION TO ACCEPT TENNESSEE DEPARTMENT OF AGRICULTURE,
DIVISION OF FORESTRY VOLUNTEER FIRE ASSISTANCE GRANT PROGRAM**

WHEREAS, the Montgomery County Fire Service has been awarded a grant from the State of Tennessee, Department of Agriculture, Division of Forestry, Volunteer Fire Assistance Grant Program, in the amount of two thousand five hundred dollars (\$2,500.00); and

WHEREAS, the funds will be used to purchase 72 5-gallon pails of Class A Foam to be split among all stations to combat wild land fires; and

WHEREAS, this is a 50/50 matching grant and the matching portion of this grant can be expended from the original fire service budget that was approved on June 13, 2011 in account 101-54310-00000-54-54680; and

WHEREAS, the grant period begins July 1, 2011 and expires June 30, 2012 and the grant will not require any continued funding after the expiration.

NOW, THEREFORE, BE IT RESOLVED by the Montgomery County Board of Commissioners assembled in regular session on this 12th day of September 2011 that the following appropriation be approved.

Fire Prevention & Control

Revenue

101-54310-00000-54-46980	Other State Grants	\$2,500
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**Expenditure
County Fire Service**

101-54310-00000-54-54680	Chemicals	\$2,500
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Duly passed and approved this 12th day of September 2011.

Sponsor

Commissioner

Approved

County Mayor

Attested

County Clerk

RESOLUTION TO ADOPT THE 2009 EDITION OF THE INTERNATIONAL BUILDING CODE; THE 2009 INTERNATIONAL RESIDENTIAL CODE; THE 2009 INTERNATIONAL PLUMBING CODE; THE 2009 INTERNATIONAL MECHANICAL CODE; THE 2009 FIRE CODE; THE 2009 ENERGY CONSERVATION CODE; THE 2009 FUEL & GAS CODE; THE 2009 INTERNATIONAL PROPERTY MAINTENANCE CODE AND THE 2003 ICC/ANSI A117.1 ACCESSIBLE & USABLE BUILDINGS & FACILITIES

WHEREAS, the Montgomery County Board of Commissioners has determined that it is in the best interest of the citizens of this county to adopt, in all respects, the 2009 International Code Standards relating to building, housing and fires, in order to remain compliant with Tennessee Code Annotated (T.C.A.) § 68-120-101(b)(5)(A); and

WHEREAS, this adoption is necessary in order to facilitate proper inspection activities by Montgomery County, Tennessee in accordance with international standards relative to construction of and maintenance to buildings within said Montgomery County, Tennessee and the safety, health and general welfare of the public and to comply with T.C.A. 68-120-101; and

NOW, THEREFORE, BE IT RESOLVED by the Montgomery County Board of Commissioners assembled in Regular Session on this 12th day of September, 2011, that any matters in said codes which are contrary to existing Resolutions of Montgomery County, Tennessee, shall prevail and that Resolution 05-12-2 adopting the 2003 Editions is hereby repealed and, that to that extent any existing Resolutions to the contrary are hereby repealed in that respect only.

BE IT FURTHER RESOLVED that:

1. The 2009 Edition of the International Building Code, including Appendix B, C, D and F be adopted; and
2. The 2009 Edition of the International Residential Code, including Appendix G, H and J, and deleting Section R313.2, be adopted; and
3. The 2009 Edition of the International Plumbing Code, including Appendix F, be adopted; and
4. The 2009 Edition of the International Mechanical Code, including Appendix A be adopted; and
5. The 2009 International Fire Code be adopted; and

6. The 2009 Energy Conservation Code be adopted; and
7. The 2009 International Fuel & Gas Code be adopted; and
8. The 2003 ICC/ANSI A117.1, Accessible & Usable Building & Facilities Code be adopted; and
9. The 2009 International Property Maintenance Code be adopted.

BE IT FURTHER RESOLVED that within said codes, when reference is made to the duties of any official named therein, that designated official of Montgomery County, Tennessee who has duties corresponding to those of the named official in said codes shall be deemed to be the responsible official insofar as enforcing provisions of said codes are concerned; and

BE IT FURTHER RESOLVED that the designated official enforcing provisions of said codes shall have the authority to insert the appropriate revised or deleted information in provisions requiring specific local information and factual key elements required for insertion into the code text; and

BE IT FURTHER RESOLVED that the effective date of the 2009 Edition of the International Codes shall be January 1, 2012, as mandated by the State of Tennessee; and

BE IT FURTHER RESOLVED that this Edition of all adopted codes be available for public view at the Montgomery County Clerk's Office during regular business hours; and

BE IT FURTHER RESOLVED that this resolution shall take effect and be in force from and after its passage, the public welfare requiring it.

Duly passed and approved the 12th day of September, 2011.

Sponsor _____

Commissioner _____

Approved _____

County Mayor

Attested _____

County Clerk

**RESOLUTION TO ADOPT THE REVISED FEE SCHEDULE FOR PERMITS
ISSUED BY THE MONTGOMERY COUNTY BUILDING
AND CODES DEPARTMENT**

WHEREAS, it is the desire of the Montgomery County Building and Codes Department to adopt, in all respects, the 2009 Editions of International Codes as set out in Resolution 11-9-2 in order to update and facilitate proper inspection activities relating to the public safety, health and general welfare; and

WHEREAS, Article IX, Section 7, of the Comprehensive Zoning Resolution of Montgomery County, Tennessee, provides that fees will be charged for the issuance of building permits and that permits shall be issued by the County Building Commissioner; and

WHEREAS, in order to help defray the cost of issuing additional building permits and provide for additional inspection services, it is necessary to update fee charges; and

NOW, THEREFORE, BE IT RESOLVED by the Montgomery County Board of Commissioners assembled in Regular Session on this 12th day of September, 2011, that Resolution 00-7-7 adopted in July, 2000, setting out a fee schedule be repealed and the attached proposed fee schedule be hereby adopted.

BE IT FURTHER RESOLVED that this resolution shall take effect and be in force from and after its passage, the public welfare requiring it.

Duly passed and approved the 12th day of September, 2011.

Sponsor _____

Commissioner _____

Approved _____

County Mayor

Attested _____

County Clerk

MONTGOMERY COUNTY PROPOSED FEE SCHEDULE

PERMIT TYPE	TYPE OF FEE	FEE AMOUNT
Minimum Permit Fee	Flat Fee	\$25.00
RESIDENTIAL PERMITS		
Residential Building	Square Foot	\$0.30
Residential Accessory Building	Square Foot	\$0.30
Residential Additions	Square Foot	\$0.30
Residential Plans Review		Min. \$50.00 or \$.05 sq ft, greater of the Two
COMMERCIAL PERMITS		
Commercial Building	Square Foot	\$0.30
Commercial Accessory	Square Foot	\$0.30
Commercial Additions	Square Foot	\$0.30
Commercial Plans Review	1/2 Permit Fee	1/2 Permit Fee
INDUSTRIAL PERMITS		
Industrial Building	Fee schedule	Based on Cost of construction
Industrial Additions	Fee schedule	Based on Cost of construction
Industrial Plans Review	1/2 Permit Fee	1/2 Permit Fee
MANUFACTURED HOMES		
Singlewide	Square Foot	\$0.30
Doublewide	Square Foot	\$0.30
Triplewide	Square Foot	\$0.30
PLUMBING PERMITS		
Residential Plumbing	Flat Fee	\$100.00
Appliance Change out		\$50.00
Commercial Plumbing	Min. & Fee Schedule	\$100.00 Min. or Fee Schedule, greater of the Two
Industrial Plumbing	Min. & Fee Schedule	\$100.00 Min. or Fee Schedule, greater of the Two
MECHANICAL PERMITS		
Residential Mechanical	Flat Fee	\$100.00
Appliance Change out		\$50.00
Commercial Mechanical	Min. & Fee Schedule	\$100.00 Min. or Fee Schedule, greater of the Two
Industrial Mechanical	Min. & Fee Schedule	\$100.00 Min. or Fee Schedule, greater of the Two

MONTGOMERY COUNTY PROPOSED FEE SCHEDULE

POOL PERMIT		
Residential Above Ground	Flat Fee	\$50.00
Residential Inground	Flat Fee	\$75.00
Commercial Pool	Fee Schedule	Based on Cost of construction
Barrier	Flat Fee	\$25.00
DECK		
	Flat Fee	\$50.00
SIGN PERMIT		
Temporary Sign	Flat Fee	\$25.00
Permanent	Fee Schedule	Based on Cost of construction
TOWERS		
	Fee Schedule	Based on Cost of construction
DEMOLITION PERMIT		
Residential	Flat Fee	\$50.00
Commercial	Flat Fee	\$50.00
Industrial	Flat Fee	\$50.00
MISCELLANEOUS FEES		
Preinspection Inspection	Flat Fee	\$50.00
Safety Inspection	Flat Fee	\$25.00
Re- Inspection	Flat Fee	\$50.00
BZA Application	Flat Fee	\$250.00
TEMP Fireworks Tents	Flat Fee	\$100.00
House Moving	Flat Fee	\$100.00
PRICE LIST FOR COPIES		
8.5" X 11" And 8.5" X 14"	Flat Fee	\$0.15
8.5" X 11" Aerial Photo Maps	Flat Fee	\$0.30
11" X 17"	Flat Fee	\$0.30
11" X 17" Aerial Photo Maps	Flat Fee	\$2.00
Large Plotted Maps 24" X 36"	Flat Fee	\$10.00
PENALTIES		
Where work for which a permit is required is started or proceeded prior to obtaining said permit, but the payment of such doubled fee shall not relieve any person from fully complying with the requirements of the the code in the execution of the work nor from any other penalties prescribed here in.	Doubled Permit Fee	Permit Cost

MONTGOMERY COUNTY PROPOSED FEE SCHEDULE

PERMIT FEE SCHEDULE		
TOTAL EVALUATION	FEE	
\$1,000.00 and less	No fee, unless inspection is required, in which case a \$25.00 fee for each inspection shall be charged.	
\$1,000.00 to \$50,000.00	\$25.00 for the first \$1,000.00 plus \$5.00 for each additional thousand or fraction thereof, to and including \$50,000.00.	
\$50,000.00 to \$100,000.00	\$270.00 for the first \$50,000.00 plus \$4.00 for each additional thousand or fraction thereof, to and including \$100,000.00.	
\$100,000.00 to \$500,000.00	plus \$3.00 for each additional thousand or fraction thereof, to and including \$500,000.00.	
\$500,00.00 and up	\$1670.00 for the first \$500,000.00 plus \$2.00 for each additional thousand or fraction thereof.	

Montgomery County reserves the right to require a detailed breakdown of cost should the

MONTGOMERY COUNTY PROPOSED FEE SCHEDULE

Construction Cost	Permit Cost	Construction Cost	Permit Cost	Construction Cost	Permit Cost
0 To \$1,000.00	\$25.00	\$46,000.00	\$250.00	\$91,000.00	\$434.00
\$2,000.00	\$30.00	\$47,000.00	\$255.00	\$92,000.00	\$438.00
\$3,000.00	\$35.00	\$48,000.00	\$260.00	\$93,000.00	\$442.00
\$4,000.00	\$40.00	\$49,000.00	\$265.00	\$94,000.00	\$446.00
\$5,000.00	\$45.00	\$50,000.00	\$270.00	\$95,000.00	\$450.00
\$6,000.00	\$50.00	\$51,000.00	\$274.00	\$96,000.00	\$454.00
\$7,000.00	\$55.00	\$52,000.00	\$278.00	\$97,000.00	\$458.00
\$8,000.00	\$60.00	\$53,000.00	\$282.00	\$98,000.00	\$462.00
\$9,000.00	\$65.00	\$54,000.00	\$286.00	\$99,000.00	\$466.00
\$10,000.00	\$70.00	\$55,000.00	\$290.00	\$100,000.00	\$470.00
\$11,000.00	\$75.00	\$56,000.00	\$294.00	\$101,000.00	\$473.00
\$12,000.00	\$80.00	\$57,000.00	\$298.00	\$102,000.00	\$476.00
\$13,000.00	\$85.00	\$58,000.00	\$302.00	\$103,000.00	\$479.00
\$14,000.00	\$90.00	\$59,000.00	\$306.00	\$104,000.00	\$482.00
\$15,000.00	\$95.00	\$60,000.00	\$310.00	\$105,000.00	\$485.00
\$16,000.00	\$100.00	\$61,000.00	\$314.00	\$106,000.00	\$488.00
\$17,000.00	\$105.00	\$62,000.00	\$318.00	\$107,000.00	\$491.00
\$18,000.00	\$110.00	\$63,000.00	\$322.00	\$108,000.00	\$494.00
\$19,000.00	\$115.00	\$64,000.00	\$326.00	\$109,000.00	\$497.00
\$20,000.00	\$120.00	\$65,000.00	\$330.00	\$110,000.00	\$500.00
\$21,000.00	\$125.00	\$66,000.00	\$334.00	\$111,000.00	\$503.00
\$22,000.00	\$130.00	\$67,000.00	\$338.00	\$112,000.00	\$506.00
\$23,000.00	\$135.00	\$68,000.00	\$342.00	\$113,000.00	\$509.00
\$24,000.00	\$140.00	\$69,000.00	\$346.00	\$114,000.00	\$512.00
\$25,000.00	\$145.00	\$70,000.00	\$350.00	\$115,000.00	\$515.00
\$27,000.00	\$155.00	\$72,000.00	\$358.00	\$117,000.00	\$521.00
\$28,000.00	\$160.00	\$73,000.00	\$362.00	\$118,000.00	\$524.00
\$29,000.00	\$165.00	\$74,000.00	\$366.00	\$119,000.00	\$526.00
\$30,000.00	\$170.00	\$75,000.00	\$370.00	\$120,000.00	\$529.00
\$31,000.00	\$175.00	\$76,000.00	\$374.00	\$121,000.00	\$532.00
\$32,000.00	\$180.00	\$77,000.00	\$378.00	\$122,000.00	\$535.00
\$33,000.00	\$185.00	\$78,000.00	\$382.00	\$123,000.00	\$538.00
\$34,000.00	\$190.00	\$79,000.00	\$386.00	\$124,000.00	\$541.00
\$35,000.00	\$195.00	\$80,000.00	\$390.00	\$125,000.00	\$544.00
\$36,000.00	\$200.00	\$81,000.00	\$394.00	\$126,000.00	\$547.00
\$37,000.00	\$205.00	\$82,000.00	\$398.00	\$127,000.00	\$550.00
\$38,000.00	\$210.00	\$83,000.00	\$402.00	\$128,000.00	\$553.00
\$39,000.00	\$215.00	\$84,000.00	\$406.00	\$129,000.00	\$556.00
\$40,000.00	\$220.00	\$85,000.00	\$410.00	\$130,000.00	\$559.00
\$41,000.00	\$225.00	\$86,000.00	\$414.00	\$131,000.00	\$561.00
\$42,000.00	\$230.00	\$87,000.00	\$418.00	\$132,000.00	\$564.00
\$43,000.00	\$235.00	\$88,000.00	\$422.00	\$133,000.00	\$567.00
\$44,000.00	\$240.00	\$89,000.00	\$426.00	\$134,000.00	\$570.00
\$45,000.00	\$245.00	\$90,000.00	\$430.00	\$135,000.00	\$573.00