

CALL TO ORDER

CITIZENS TO ADDRESS THE COMMISSION - None

PRESENTATION

B.J. Worthington

PUBLIC HEARING REGARDING ZONING

CZ-4-2013: Application of Tony Kennedy, from C-2, General Commercial District, to C-5, Highway & Arterial Commercial District

RESOLUTIONS

- 13-7-1:** Resolution to Accept a Donation from the Clarksville Rotary Club to Purchase Picnic Tables to be used at Rotary Park
- 13-7-2:** Resolution to Ratify Private Chapter No. 27, Senate Bill No. 1420, Private Acts of 2013 of the 108th General Assembly of the State of Tennessee to Create a Special Juvenile Court in Montgomery County, Tennessee
- 13-7-3:** Resolution Approving the Naming of the Tennessee Veterans Home – Montgomery County, in Honor of BG (R) Wendell H. Gilbert
- 13-7-4:** Resolution of the Montgomery County Board of Commissioners Authorizing the Acceptance of Grant Funds from the Tennessee Department of Children’s Services – At Risk Program
- 13-7-5:** Resolution of the Montgomery County Board of Commissioners Authorizing the Acceptance of Grant Funds from the Tennessee Department of Children’s Services – Teen Learning Center
- 13-7-6:** Resolution to Adopt an Interlocal Agreement Between the City of Clarksville and Montgomery County for Joint Funding from the Bureau of Justice Assistance of the United States Department of Justice on a Joint Award of Federal Byrne Justice Assistance Grant Funds

13-7-7: Resolution Authorizing an Amendment of the FY14 Drug Control Fund Budget to Support the Purchase and Training of Two Canines and Handlers for the Sheriff's Office

13-7-8: Resolution Appointing Franklin E. Mir as Director of the Montgomery County Veterans Service Organization

REPORTS

1. Loretta Bryant – Chairman, Nominating Committee
2. Carolyn Bowers – County Mayor Nominations and Appointments

REPORTS FILED

1. Minutes from May 14, 2012

ANNOUNCEMENTS

ADJOURN

**RESOLUTION OF THE MONTGOMERY COUNTY BOARD OF
COMMISSIONERS
AMENDING THE ZONE CLASSIFICATION OF THE PROPERTY OF
TONY KENNEDY**

WHEREAS, an application for a zone change from C-2 General Commercial District to C-5 Highway & Arterial Commercial District has been submitted by Tony Kennedy and

WHEREAS, said property is identified as County Tax Map 070, parcel 051.01, containing 3.19 acres, situated in Civil District 13, located at the east terminus of Oakwood Road. ; and

WHEREAS, said property is described as follows:

Commencing at a PK nail set at the point o intersection of the centerlines of Old Highway 79 (r/w varies) and Gibbs Road (40' r/w); thence along a tie line North 37 degrees 05 minutes 47 seconds West a distance of 40.55 feet to a 1/2" iron pin set being the northwest corner of the parent Tract 4 in the south r/w line of Old Hwy. 79; thence with the south r/w line of Old Hwy. 79, North 86 degrees 40 minutes 01 seconds East a distance of 401.01 feet to a 1/2" iron pin set, said pin being THE TRUE POINT OF BEGINNING of this Tract; thence across said r/w of Old Hwy. 79 as follows; North 02 degrees 43 minutes 17 seconds West a distance of 57.93 feet to a 1/2" iron pin set; thence with the north r/w line of Old Hwy. 79 North 87 degrees 16 minutes 43 seconds East a distance of 407.26 feet to a 1/2" iron pin set in the north r/w line of said Old Highway 79; thence across said r/w South 03 degrees 56 minutes 50 seconds West a distance of 54.01 feet to a 1/2" iron found (DYOUNG), said pin being the northwest corner of the Linda Mullins property (Vol. 687, Page 978) in the south r/w line of Old Hwy. 79; thence leaving said r/w with the west line of said Mullins property as follow: South 04 degrees 16 minutes 06 seconds West a distance of 167.04 feet to 1/2" iron pin set; thence South 03 degrees 53 minutes 50 seconds West a distance of 118.01 feet to a 1/2" iron pin set; thence leaving said west line across said parent as follows: South 85 degrees 38 minutes 11 seconds West a distance of 413.78 feet to a 1/2" iron pin set; thence North 06 degrees 22 minutes 48 seconds East a distance of 294.30 feet to the point of beginning of this tract, containing 138,966.57 square feet or 3.19 acres.

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 8th day of July, 2013, that the zone classification of the property of Tony Kennedy from C-2 to C-5 is hereby approved.

Duly passed and approved this 8th day of July, 2013.

Sponsor David D. Hipp
Commissioner _____
Approved _____
County Mayor

Attested: _____
County Clerk

RESOLUTION TO ACCEPT A DONATION FROM THE CLARKSVILLE ROTARY CLUB TO PURCHASE PICNIC TABLES TO BE USED AT ROTARY PARK

WHEREAS, the Montgomery County Parks and Recreation Department has been offered a monetary donation of \$8,979.00 for the purchase of fifteen picnic tables for Rotary Park; and

WHEREAS, the Montgomery County Parks and Recreation Department will oversee the receiving and installation of said tables at Rotary Park; and

WHEREAS, the Clarksville Rotary Club agrees to donate to the Montgomery County Parks and Recreation Department the sum of \$8,979.00 for the purchase of the tables.

NOW, THEREFORE, BE IT RESOLVED by the Montgomery County Board of Commissioners meeting in regular session on this 8th day of July, 2013, that this legislative body agrees to accept the monetary donation of \$8,979.00 from the Clarksville Rotary Club for the specific purpose of purchasing fifteen picnic tables for Rotary Park.

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

DONATIONS	101-56700-00000-56-48160	\$8,979
OTHER CAPITAL OUTLAY	101-56700-00000-56-57990	\$8,979

Duly passed and approved this 8th day of July, 2013.

Sponsor _____

Commissioner _____

Approved _____

County Mayor

Attested _____

County Clerk

**RESOLUTION TO RATIFY PRIVATE CHAPTER NO. 27, SENATE BILL NO. 1420,
PRIVATE ACTS OF 2013 OF THE 108th GENERAL ASSEMBLY OF THE
STATE OF TENNESSEE TO CREATE A SPECIAL JUVENILE COURT
IN MONTGOMERY COUNTY, TENNESSEE**

WHEREAS, Private Chapter 27, Senate Bill No. 1420, was passed by the 108th General Assembly on April 19, 2013 and certified by the Secretary of State of the State of Tennessee on May 28, 2013, to create a special juvenile court in Montgomery County, a copy of which is attached hereto; and

WHEREAS, said act shall have no effect unless it is approved by a two-thirds (2/3) vote of the county legislative body of Montgomery County and certified by the presiding officer of the county legislative body to the secretary of state.

NOW, THEREFORE, BE IT RESOLVED by the Montgomery County Board of Commissioners meeting in regular session on the 8th day of July, 2013, that Private Chapter 27, Senate Bill 1420, Private Acts of 2013 of the 108th General Assembly of the State of Tennessee is hereby ratified by said board; and

BE IT FURTHER RESOLVED that said provisions of this act be effective as of September 1, 2014 as previously adopted by this legislative body.

Duly passed and approved this 8th day of July, 2013.

Sponsor _____

Commissioner _____

Approved _____

County Mayor

Attested _____
County Clerk

**RESOLUTION APPROVING THE NAMING OF THE TENNESSEE
VETERANS HOME – MONTGOMERY COUNTY IN HONOR
OF BG (R) WENDELL H. GILBERT**

WHEREAS, pursuant to Resolution 11-11-3, Montgomery County acquired certain real estate for the future development of a Tennessee Veterans Home – Montgomery County; and on May 17, 2013, a groundbreaking was held for said Tennessee Veterans Home – Montgomery County; and

WHEREAS, the Tennessee Veterans Home – Montgomery County will provide an invaluable resource for the citizens of Montgomery County; and

WHEREAS, the Tennessee State Veterans Home Board voted unanimously to recommend the naming of the Tennessee Veterans Home – Montgomery County in honor of BG (R) Wendell H. Gilbert; and

WHEREAS, Wendell H. Gilbert is a distinguished Veteran of Montgomery County, born and raised in this community, and attended Clarksville-Montgomery County Schools. Wendell H. Gilbert retired from the United States Army as a One Star General; and

WHEREAS, Wendell H. Gilbert served as Commissioner of Tennessee Veterans Affairs as well as Deputy Commissioner for Homeland Security, served as Vice-President for Development and University Relations for Austin Peay State University for seventeen years, and remains actively involved in this community.

NOW, THEREFORE, BE IT RESOLVED by the Montgomery County Board of Commissioners meeting in regular session on this 8th day of July, 2013, that the naming of the Tennessee Veterans Home – Montgomery County in honor of Wendell H. Gilbert is approved. A copy of this resolution shall be sent to the Tennessee Department of Veterans’ Affairs, 312 Rosa L. Parks Avenue, Nashville, Tennessee, 37243-1102.

Duly passed and approved this 8th day of July, 2013.

Sponsor _____

Commissioner _____

Approved _____

County Mayor

Attested _____
County Clerk

**RESOLUTION OF THE MONTGOMERY COUNTY BOARD OF
COMMISSIONERS AUTHORIZING THE ACCEPTANCE OF
GRANT FUNDS FROM THE TENNESSEE DEPARTMENT
OF CHILDREN’S SERVICES – AT RISK PROGRAM**

WHEREAS, the Tennessee Department of Children’s Services (DCS) has awarded Montgomery County Juvenile Court a cost reimbursement base grant award to fund child and family intervention services, referred to as the At-Risk Program, effective July 1, 2013 through June 30th, 2014; and

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

NOW, THEREFORE, BE IT RESOLVED by the Montgomery County Board of Commissioners assembled in Regular Session on this 8th day of July, 2013, that Montgomery County accept the grant in the amount of \$70,929.00 to fund the At-Risk Program; and

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

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

REVENUE	101-54240-00000-54-46110-G5234	\$70,929
PROBATION OFFICER	101-54240-00000-54-51110-G5234	\$ 3,516
CLERICAL PERSONNEL	101-54240-00000-54-51620-G5234	\$ 25,418
SOCIAL SECURITY	101-54240-00000-54-52010-G5234	\$ 1,576
STATE RETIRMENT	101-54240-00000-54-52040-G5234	\$ 3,642
MEDICARE	101-54240-00000-54-52120-G5234	\$ 369
LIFE INSURANCE	101-54240-00000-54-52060-G5234	\$ 38
COMMUNICATION	101-54240-00000-54-53070-G5234	\$ 1,000
EVALUATION & TESTING	101-54240-00000-54-53220-G5234	\$ 4,320
OPERATIONAL LEASE PAYMENT	101-54240-00000-54-53220-G5234	\$ 2,100
TRAVEL	101-54240-00000-54-53550-G5234	\$ 2,000

RESOLUTION OF THE MONTGOMERY COUNTY BOARD OF COMMISSIONERS AUTHORIZING THE ACCEPTANCE OF GRANT FUNDS FROM THE TENNESSEE DEPARTMENT OF CHILDREN’S SERVICES – TEEN LEARNING CENTER

WHEREAS, the Tennessee Department of Children’s Services (DCS) has awarded Montgomery County Juvenile Court a cost reimbursement base grant award to fund custody prevention services, referred to as the Montgomery County Teen Learning Center, effective July 1, 2013 through June 30, 2014; and

WHEREAS, the total grant contract awarded from DCS amounts to \$422,082.00; per the agreement it is one hundred percent (100%) grant funded, requiring no local match dollars during the allocation period.

NOW, THEREFORE, BE IT RESOLVED by the Montgomery County Board of Commissioners assembled in Regular Session on this 8th day of July, 2013, that Montgomery County accept the grant in the amount of \$422,082.00 to fund the Montgomery County Teen Learning Center; and

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

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

REVENUE	101-53900-00000-53-46110-G5233	\$422,082
CONTRACT-PRIVATE AGENCIES	101-53900-00000-53-53120-G5233	\$422,082
	TOTAL	\$422,082

Duly passed and approved this 8th day of July, 2013.

Sponsor _____

Commissioner _____

Approved _____

County Mayor

Attested _____
County Clerk

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

WHEREAS, the United States Department of Justice Bureau of Justice Assistance has granted \$58,032.00 for fiscal year 2014 to be divided equally between the City of Clarksville and Montgomery County for various projects including the monthly service for mobile data terminals and associated wireless data equipment; and

WHEREAS, the amount awarded to Montgomery County of \$29,016.00 will support the continued use of mobile data services and equipment resulting in deputies being able to access essential information in the performance of their duties while in the field.

NOW, THEREFORE, BE IT RESOLVED by the Montgomery County Board of Commissioners assembled in Regular Session on this the 8th day of July, 2013, that:

SECTION 1. Montgomery County hereby accepts \$29,016.00 from the United States Department of Justice, Bureau of Justice Assistance for the purposes herein stated and detailed in the MOU between the City of Clarksville and Montgomery County, a copy of which is attached hereto.

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

This resolution shall take effect upon its adoption.

Dated this the 8th day of July, 2013.

Sponsor _____

Commissioner _____

Approved _____

County Mayor

Attest _____

County Clerk

GMS APPLICATION NUMBER 2013-H4170-TN-DJ

**INTERLOCAL AGREEMENT BETWEEN THE CITY OF CLARKSVILLE, TN and
THE COUNTY OF MONTGOMERY, TN
REGARDING THE
2013 BYRNE JUSTICE ASSISTANCE GRANT (JAG) PROGRAM AWARD**

This Agreement is made and entered into this ____ day of _____, 2013, by and between The COUNTY of Montgomery acting by and through its governing body, the County Commission, hereinafter referred to as COUNTY, and the CITY of Clarksville acting by and through its governing body, the City Council, hereinafter referred to as CITY, both of Montgomery County, State of Tennessee, witnesseth:

WHEREAS, a combined, disparate allocation of funds of \$58,032 from the JAG Program to the CITY and the COUNTY establishes the need for a joint JAG Program Award Application, and

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

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

WHEREAS, the CITY agrees to provide the COUNTY \$29,016 from the JAG award for the Law Enforcement Program; and

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

NOW THEREFORE, the COUNTY and CITY agree as follows:

Section 1.

CITY agrees to reimburse COUNTY a total of \$29,016 based upon expenditure records.

Section 2.

COUNTY agrees to use \$29,016 for the Law Enforcement Program no later than September 30, 2016.

Section 3.

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

Section 4.

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

Section 5.

The CITY shall serve as Applicant and Fiscal Agent for the 2013 JAG Program Application, shall advise the COUNTY of balance available information on a periodic basis, and shall prepare all reports. The COUNTY shall submit claims/requests for distribution of COUNTY share of funds to the CITY for payment processing and provide such summary information as may be required for periodic reports.

Section 6.

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

Section 7.

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

Section 8.

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

Section 9.

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

For the CITY OF CLARKSVILLE, TN:

Kim McMillan, Mayor

Date

pm

For the COUNTY OF MONTGOMERY, TN

Carolyn Bowers

Carolyn Bowers, Mayor

6-17-13

Date

RESOLUTION AUTHORIZING AN AMENDMENT OF THE FY14 DRUG CONTROL FUND BUDGET TO SUPPORT THE PURCHASE AND TRAINING OF TWO CANINES AND HANDLERS FOR THE SHERIFF'S OFFICE

WHEREAS, the Montgomery County Sheriff's Office generates revenue from criminal drug prosecution through Montgomery County court fines and civil asset forfeiture through the Tennessee Department of Safety; and

WHEREAS, the current fund balance for the Drug Control Fund is \$27,043, to partially be used to amend the FY14 budget; and

WHEREAS, the Sheriff may budget these drug revenues within the Drug Control Fund for training and equipment to further the objectives of the Sheriff's Office per T.C.A. 39-17-420.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of Montgomery County, Tennessee, meeting this the 8th day of July, 2013, that:

SECTION 1. The Drug Control Fund Budget's Expenses shall be amended as follows:

Account Code	DESCRIPTION	ORIGINAL	ADJUSTMENT	AMENDED
122-54110-00000-54-53070	COMMUNICATION	\$ 500.00	- \$ 400.00	\$ 100.00
122-54110-00000-54-53200	DUES and MEMBERSHIPS	\$ 600.00	- \$ 300.00	\$ 300.00
122-54110-00000-54-53310	LEGAL SERVICES	\$ 0	NO CHANGE	\$ 0
122-54110-00000-54-53550	TRAVEL	\$ 600.00	+ \$ 7,400.00	\$ 8,000.00
122-54110-00000-54-53560	TUITION	\$ 2,000.00	- \$ 1,400.00	\$ 600.00
122-54110-00000-54-53570	VETERINARY SERVICES	\$ 2,500.00	- \$ 1,400.00	\$ 1,100.00
122-54110-00000-54-53990	OTHER CONTRACT	\$ 0	NO CHANGE	\$ 0
122-54110-00000-54-54010	ANIMAL FOOD SUPPLIES	\$ 800.00	+ \$ 500.00	\$ 1,300.00
122-54110-00000-54-54250	GASOLINE	\$ 9,000.00	- \$ 8,500.00	\$ 500.00
122-54110-00000-54-54310	LAW ENFORCE SUPPLY	\$ 4,950.00	NO CHANGE	\$ 4,950.00
122-54110-00000-54-55100	TRUSTEE COMMISSION	\$ 120.00	NO CHANGE	\$ 120.00
122-54110-00000-54-57160	LAW ENFORCE EQUIPT	\$ 0	NO CHANGE	\$ 0
122-54110-00000-54-57990	OTHER EQUIPMENT	\$ 9,500.00	+ \$22,500.00	\$32,000.00
DRUG CONTROL FUND	TOTAL EXPENSES FY 14	\$30,570.00	+ \$18,400.00	\$48,970.00

SECTION 2. This resolution shall take effect upon adoption, the general welfare requiring it.

Duly passed and approved this 8th day of July, 2013.

Sponsor _____

Commissioner _____

Approved _____

County Mayor

Attest _____

County Clerk

RESOLUTION APPOINTING FRANKLIN E. MIR AS DIRECTOR OF THE MONTGOMERY COUNTY VETERANS SERVICE ORGANIZATION

WHEREAS, Section 58-3-111, Tennessee Code Annotated, (TCA) provides that the County Governing Body shall appoint a Director for the Veterans Service Organization for Montgomery County, Tennessee, who shall be responsible for performing the duties of Director, as promulgated in TCA § 58-3-101, et. seq.; and

WHEREAS, the County Mayor along with members of a qualified panel, nominates Franklin E. Mir for the position of Director of the Veterans Service Organization for Montgomery County, effective July 9, 2013; and

WHEREAS, Franklin E. Mir possesses the educational credentials and qualifications required to perform the duties in this official position as evidenced by the resume attached hereto.

NOW, THEREFORE, BE IT RESOLVED by the Montgomery County Board of Commissioners meeting in regular session on this 8th day of July, 2013, that Franklin E. Mir be appointed to the position of Director of the Veterans Service Organization for Montgomery County.

Duly passed and approved this 8th day of July, 2013.

Sponsor _____

Commissioner _____

Approved _____

County Mayor

Attested _____

County Clerk