

CALL TO ORDER – Mayor Golden

STATUTORY PUBLIC COMMENT PERIOD *-Any member of the public wishing to make public comment as allowed by Tennessee Statutes and governing rules of the body as allowed should notify the chair or secretary of the meeting of their desire to do so or when the "Public Comment Period" is called by the chair, and they will requested to identify themselves and their topic by preparation of a form and then be allowed to speak consistent with those statutes and rules. The Required form and governing rules of the body are available from the Chair of the meeting or from the Mayor's office.*

PRESENTATIONS

1. Carbon Monoxide Awareness – Christine Watson
2. Hotel/Motel Quarterly Update – County Trustee Kimberly Wiggins

PUBLIC HEARING ZONING RESOLUTIONS

- CZ-7-2023** Application of Benjamin Stanley Darrel & Carol Smith from AG to M-1
- CZ-13-2023** Application of Reda Home Builders, Inc. from R-3 to C-2
- CZ-14-2023** Application of Danny Yarbrough from AG to E-1

CLOSE PUBLIC HEARING

- AB-5-2023** Abandonment of Portion of Heath Drive

RESOLUTIONS

- 23-9-1*** Resolution by the Montgomery County Child Advocacy Center Accepting Additional Grant Funds from the Children's Advocacy Centers of Tennessee and Amending the Budget of the Montgomery County Child Advocacy Center in the Amount of Eighty-Two Thousand Eight Hundred Eleven Dollars (\$82,811)
- 23-9-2*** Resolution to Accept Office of Domestic Preparedness State Homeland Security Grant Program 34101-18123 and to Appropriate Funds
- 23-9-3*** Resolution Amending the Montgomery County Credit/Debit Card Processing Security and Operation Policy
- 23-9-4*** Resolution to Amend the Budgets of Various Funds for Fiscal Year 2024 in Certain Areas of Revenues and Expenditures
- 23-9-5*** Initial Resolution Authorizing the Issuance of Not to Exceed \$50,000,000 General Obligation Bonds of Montgomery County, Tennessee

- 23-9-6*** Resolution Authorizing the Issuance of General Obligation Bonds of Montgomery County, Tennessee in the Aggregate Principal Amount of Not to Exceed \$50,000,000, in One or More Series; Making Provision for the Issuance, Sale and Payment of Said Bonds, Establishing the Terms Thereof and the Disposition of Proceeds Therefrom; and Providing for the Levy of Taxes for the Payment of Principal of, Premium, if Any, and Interest on the Bonds
- 23-9-7*** Resolution to Sell a Portion of Real Property Lying in the First Civil District of Montgomery County, Tennessee, Shown on Tax Map 010, Parcel 037.01
- 23-9-9*** Resolution Amending the Budget of the Montgomery County Human Resources Department for the Reclassification of a Human Resources Associate II to a Human Resources Generalist
- 23-9-10*** Resolution Adopting Regulations Governing the Use of the County Right-Of-Way
- 23-9-11*** Resolution Authorizing the Industrial Development Board to Apply Site 23b Sale Proceeds to International Court Road Development
- 23-9-13*** Resolution to Adopt the 2024 Legislative Agenda as Presented by the Legislative Liaison Committee

*** CONSENT AGENDA CONSIDERATION**

Items in this portion of the agenda are considered to be routine and non-controversial by the County Commission and may be approved by one motion; however, a member of the County Commission may request that an item be removed for separate consideration.

RESOLUTIONS PULLED FROM THE CONSENT AGENDA

- 23-9-8*** Resolution of the Montgomery County Board of Commissioners Appropriating Funds for the Purchase of Land for a Future Elementary School
- 23-9-12*** Resolution Authorizing the Industrial Development Board of Montgomery County to Negotiate and Accept Payments in Lieu of Ad Valorem Taxes from Lessees Operating Low-Income Housing Tax Credit Properties

RESOLUTIONS DEFERRED FROM JULY & AUGUST

- 23-7-3** Resolution Consenting to the Industrial Development Board of the County of Montgomery Negotiating and Accepting Payments in Lieu of Ad Valorem Tax with Respect to a Multi-Family Housing Project, Miller Town, in Montgomery County, Tennessee.
- 23-8-1** Resolution to Appoint One Member of the Montgomery County Board of Commissioners to Serve as a Non-Voting Ex-Officio Representative with the Montgomery County Sports Authority
- CZ-2-2023** Application of Reda Home Builders, Inc. from AG to R-1 (deferred from May and July)

DISCUSSION

REPORTS FOR APPROVAL

1. * Commission Minutes dated August 14, 2023
2. * County Clerk's Report and Notary List
3. * County Mayor Nominations and Appointments
4. * Nominating Committee Nominations

VERBAL REPORTS

1. School Board Liaison – Commissioner John Gannon
2. Highway Liaison – Commissioner Michael Lankford
3. Health Council – Commissioner Jason Knight

REPORTS FILED

1. Building & Codes Monthly Reports

ANNOUNCEMENTS

1. The Highway Department will host a public meeting regarding intersection upgrades along Highway 48/13 on September 7th from 6 :00 p.m. to 7:30 p.m. This meeting will be held at Montgomery Central High School.
2. The Legislative Reception will be held on Thursday, September 21st, at 5:30 p.m. at Civic Hall. Elected Officials and Department Heads need to submit their RSVP to the Mayor's Office no later than Thursday, September 14th.
3. IT will begin OneDrive migration for all Commissioners next Monday, September 12th, before the Formal Commission meeting. **Please arrive promptly at 5:00 p.m. and bring your iPad and know password.**

ADJOURN

**RESOLUTION OF THE MONTGOMERY COUNTY BOARD OF
COMMISSIONERS
AMENDING THE ZONE CLASSIFICATION OF THE PROPERTY OF
BENJAMIN STANLEY DARREL & CAROL SMITH**

WHEREAS, an application for a zone change from AG Agricultural District to C-2 General Commercial District / M-1 Light Industrial District has been submitted by Benjamin Stanley Darrel & Carol Smith and

WHEREAS, said property is identified as County Tax Map 040 , parcel 011.00(p/o), containing 50.81 +/- acres, situated in Civil District 13, located Property fronting on the north frontage of Dunlop Lane, 2,800 +/- feet west of the Dunlop Ln. & Rollow Ln. intersection; and

WHEREAS, said property is described as follows:


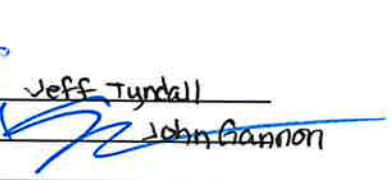
"SEE EXHIBIT A"

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 11th day of September, 2023, that the zone classification of the property of Benjamin Stanley Darrel & Carol Smith from AG to C-2 / M-1 is hereby approved.

Duly passed and approved this 11th day of September, 2023.

Sponsor _____
Commissioner _____
Approved _____

 Jeff Tyndall
 John Cannon

County Mayor

Attested: _____
County Clerk

"EXHIBIT A"

C-2:

Beginning at the southwest corner of said Stanley property, said point being in the northern right-of-way of Dunlop Lane, and being the southeast corner of Beech Grove Subdivision, Plat Book H Page 188; Thence with the eastern line of Beech Grove subdivision, North 8 degrees 16 minutes 53 seconds East 1225.28 feet to the beginning of a rezoning line for a proposed rezoning; Thence with the rezoning line, the following calls: South 81 degrees 43 minutes 04 seconds East 356.67 feet to a point; South 8 degrees 16 minutes 53 seconds West 956.59 feet to a point; Thence continuing with the rezoning line South 80 degrees 52 minutes 40 seconds East 1116.74 feet to the northwest corner of Darrel Smith, Volume 1571 Page 1269; Thence with the western line of Smith, South 9 degrees 32 minutes 20 seconds West 277.74 feet to a point in the northern right-of-way of Dunlop Lane; Thence with the northern right-of-way of Dunlop Lane, North 80 degrees 43 minutes 39 seconds West 1467.37 feet to the point of beginning, containing 17.12 acres, more or less.

M-1:

Commencing at the southwest corner of said Stanley property, said point being in the northern right-of-way of Dunlop Lane, and being the southeast corner of Beech Grove Subdivision, Plat Book H Page 188; Thence with the eastern line of Beech Grove subdivision, North 8 degrees 16 minutes 53 seconds East 1225.28 feet to a point; Thence South 81 degrees 43 minutes 04 seconds East 356.67 feet to the true point of beginning; Thence with a proposed zoning line the following calls: North 49 degrees 05 minutes 33 seconds East 208.27 feet to a point; North 59 degrees 48 minutes 58 seconds East 697.92 feet to a point; South 25 degrees 01 minutes 39 seconds East 541.46 feet to a point; South 15 degrees 21 minutes 41 seconds East 250.76 feet to a point; South 2 degrees 58 minutes 14 seconds East 256.22 feet to a point; Thence continuing with the rezoning line South 9 degrees 32 minutes 20 seconds West 631.38 feet to the northwest corner of Darrel Smith, Volume 1571 Page 1269; Thence with a proposed rezoning line, North 80 degrees 52 minutes 40 seconds West 1116.74 feet to a point; Thence continuing with the rezoning line, North 8 degrees 16 minutes 53 seconds West 956.59 feet to the point of beginning, containing 32.19 acres, more or less.

COUNTY ZONING ACTIONS

The following case(s) will be considered for final action at the formal session of the Board of County Commissioners meeting on: **Monday, September 11, 2023**. The public hearing will be held on: **Tuesday, September 5, 2023**.

CASE NUMBER: CZ-7-2023

Applicant: Benjamin Stanley Darrel & Carol Smith

Agent: Benjamin Stanley

Location: Property fronting on the north frontage of Dunlop Lane, 2,800 +/- feet west of the Dunlop Ln. & Rollow Ln. intersection

Request: AG Agricultural District to
C-2 General Commercial District / M-1 Light Industrial District

County Commission District: 19

STAFF RECOMMENDATION: APPROVAL

PLANNING COMMISSION RECOMMENDATION: APPROVAL

CASE NUMBER: CZ-13-2023

Applicant: Reda Home Builders Inc.

Location: A parcel fronting on the north frontage of Lafayette Rd., 305 +/- feet east of the Lafayette Rd. & Walnut Grove Rd. intersection.

Request: R-3 Three Family Residential District to
C-2 General Commercial District

County Commission District: 11

STAFF RECOMMENDATION: DISAPPROVAL

PLANNING COMMISSION RECOMMENDATION: DISAPPROVAL

CASE NUMBER: CZ-14-2023

Applicant: Danny Yarbrough

Agent: Grayson Smith

Location: A tract of land fronting on the west frontage of Morgan Cir., 1,080 +/- feet south of the Morgan Cir. & Attaway Rd. intersection.

Request: AG Agricultural District to
E-1 Single-Family Estate District

County Commission District: 6

STAFF RECOMMENDATION: APPROVAL

PLANNING COMMISSION RECOMMENDATION: APPROVAL

CLARKSVILLE-MONTGOMERY COUNTY REGIONAL PLANNING

STAFF REVIEW - ZONING

RPC MEETING DATE 08/29/2023

CASE NUMBER: CZ - 7 - 2023

NAME OF APPLICANT:Benjamin Stanley Darrel & Carol Smith

1601 Dunlop Lane

Clarksville, TN 37043

AGENT: Benjamin Stanley

GENERAL INFORMATION

TAX PLAT: 040

039

PARCEL(S): 011.00(p/o)

002.02

ACREAGE TO BE REZONED: 50.81 +/-

PRESENT ZONING: AG

PROPOSED ZONING: C-2 M-1

EXTENSION OF ZONING

CLASSIFICATION: YES

PROPERTY LOCATION: Property fronting on the north frontage of Dunlop Lane, 2,800 +/- feet west of the Dunlop Ln. & Rollow Ln. intersection

CITY COUNCIL WARD:

COUNTY COMMISSION DISTRICT: 19

CIVIL DISTRICT: 6

DESCRIPTION OF PROPERTY: An tract of land with rolling hills currently being row cropped and an area encumbered by a drainage basin/flood area.

APPLICANT'S STATEMENT FOR PROPOSED USE: Properties are currently in the land use plan for industrial and commercial. Properties have M-2 zoning on all 4 sides with the new LG Chem plant less than 2, 500 ft away and Hankook-Atlas BX 750 feet away. After the feedback from the area we are changing from a all M-2 zoning request to a much smaller and better suited C-2 buffer around the neighborhood and M-1 for remainder.

GROWTH PLAN AREA:

RA

PLANNING AREA: Rossview

PREVIOUS ZONING HISTORY: CZ-12-2018

CZ-11-2018

CLARKSVILLE-MONTGOMERY COUNTY REGIONAL PLANNING

STAFF REVIEW - ZONING

DEPARTMENT COMMENTS

CZ 7 2023

- ☐ FIRE DEPARTMENT
☒ EMERGENCY MANAGEMENT
☒ SHERIFFS DEPT.
☐ DIV. OF GROUND WATER
☐ HOUSING AUTHORITY
☐ COMMON DESIGN REVIEW BOARD
☐ GAS & WATER DEPT. (DIGITAL ONLY)
☐ CUMBERLAND HTS U/D (DIGITAL ONLY)
☐ CUNNINGHAM U/D (DIGITAL ONLY)
☐ EAST MONT. U/D (DIGITAL ONLY)

- ☐ WOODLAWN U/D (DIGITAL ONLY)
☒ CITY STREET DEPT. (DIGITAL ONLY)
☒ COUNTY HWY. DEPT. (DIGITAL ONLY)
☒ CEMC (DIGITAL ONLY)
☐ CDE (DIGITAL ONLY)
☐ ATT (DIGITAL ONLY)
☐ POLICE DEPT. (DIGITAL ONLY)
☐ CITY BLDG DEPT. (DIGITAL ONLY)
☒ COUNTY BLDG DEPT. (DIGITAL ONLY)
☐ SCHOOL SYSTEM OPS. (DIGITAL ONLY)

- ☐ FT. CAMPBELL (DIGITAL ONLY)
☒ IND. DEV. BD. (DIGITAL ONLY)
☐ CHARTER (DIGITAL ONLY)
☐ OTHER

1. CITY ENGINEER/UTILITY DISTRICT:

Department responded. No concerns listed.

**2. STREET DEPARTMENT/
COUNTY HIGHWAY DEPARTMENT:**

Traffic assessment required & accepted by the Mont. County Highway Dept.
Lane improvements along property frontage anticipated at development stage.

3. DRAINAGE COMMENTS:

Area is prone to flooding.

4. CDE/CEMC:

No Comment(s) Received

5. FIRE DEPT/EMERGENCY MGT.:

Department responded. No concerns listed.

6. POLICE DEPT/SHERIFF'S OFFICE:

No Comment(s) Received

**7. CITY BUILDING DEPARTMENT/
COUNTY BUILDING DEPARTMENT:**

Department responded. No concerns listed.

8. SCHOOL SYSTEM:

ELEMENTARY:

MIDDLE SCHOOL:

HIGH SCHOOL:

9. FT. CAMPBELL:

10. OTHER COMMENTS:

CLARKSVILLE-MONTGOMERY COUNTY REGIONAL PLANNING
STAFF REVIEW - ZONING

PLANNING STAFF'S STUDY AND RECOMMENDATION

CZ 7 2023

**IMPACT OF PROPOSED USE ON
SURROUNDING DEVELOPMENT:**

INFRASTRUCTURE:

WATER SOURCE: CITY

SEWER SOURCE: CITY

STREET/ROAD ACCESSIBILITY: Dunlop Lane

DRAINAGE COMMENTS:

RESIDENTIAL DEVELOPMENT

APPLICANT'S ESTIMATES HISTORICAL ESTIMATES

LOTS/UNITS:

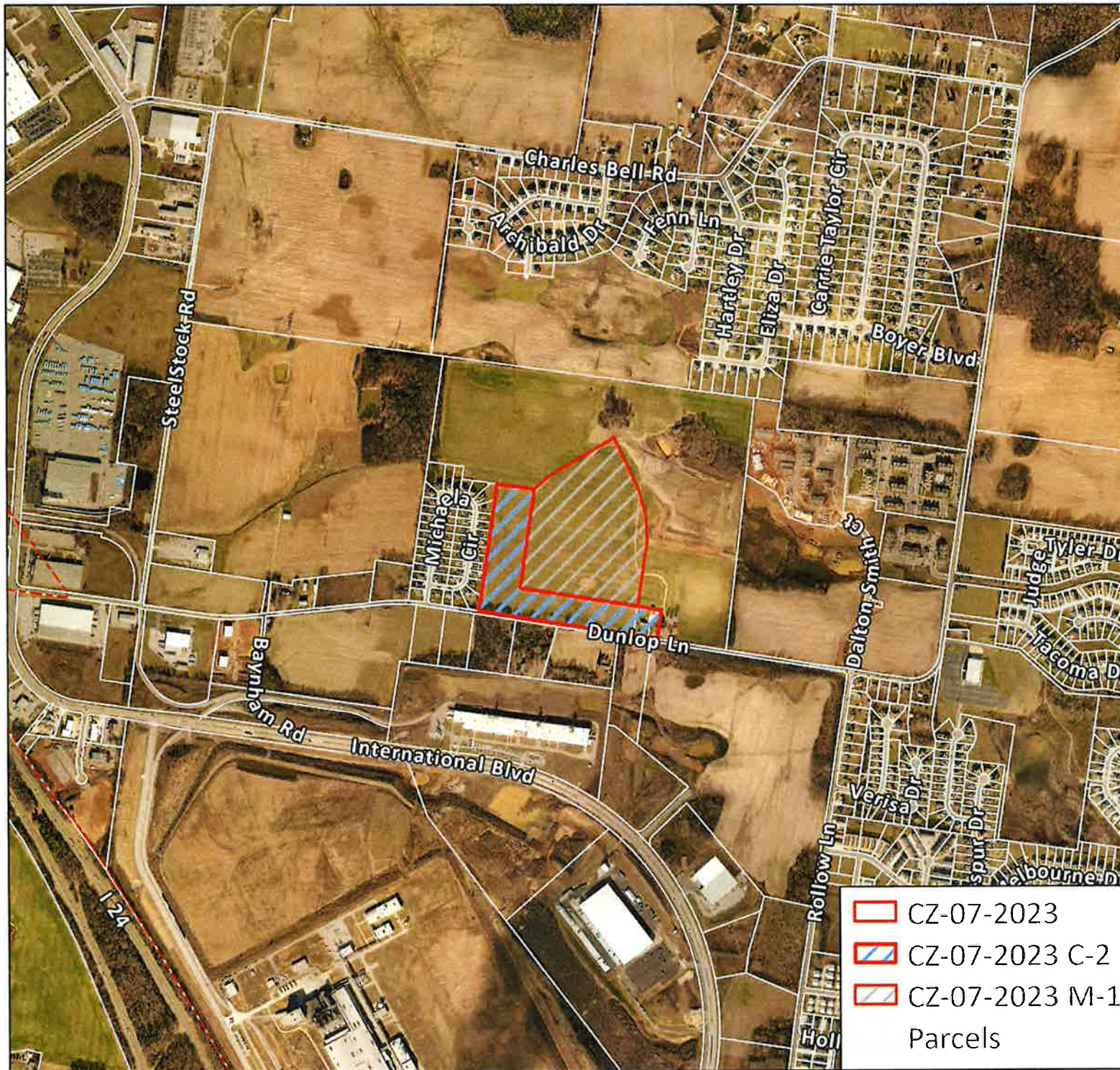
POPULATION:

APPLICABLE LAND USE PLAN

Rossview Road Planning Area - One of the most diversified areas of the county in terms of land use. It has the best remaining agricultural land. One of the fastest growing sectors of Montgomery County. Factors affecting growth all average to above average. The Industrial Park is also located in this planning area.

STAFF RECOMMENDATION: APPROVAL

1. The proposed zoning request is consistent with the adopted Land Use Plan.
2. The adopted Land Use Opinion Map identifies this area as future Industrial zoning.
3. The single family residential development to the west of this site is not consistent with the adopted Land Use Opinion Map, as it is located in an area identified for industrial development. This request has presented an area of C-2 General Commercial along the frontage & western border, then transitions to M-1 Light Industrial.
4. This tract has areas that are encumbered by a drainage basin/flood area. A recent injection well installation appears to have improved drainage conditions for the property.
5. The areas included in the zone change request do not appear to be within the drainage basin. Full drainage plan review will be required at the development stage for the property.



CZ-07-2023

APPLICANT:

BENJAMIN STANLEY,
DARREL & CAROL
SMITH

REQUEST:

AG

TO

C-2/M-1

MAP & PARCEL

039 00202

040 01100 (P)

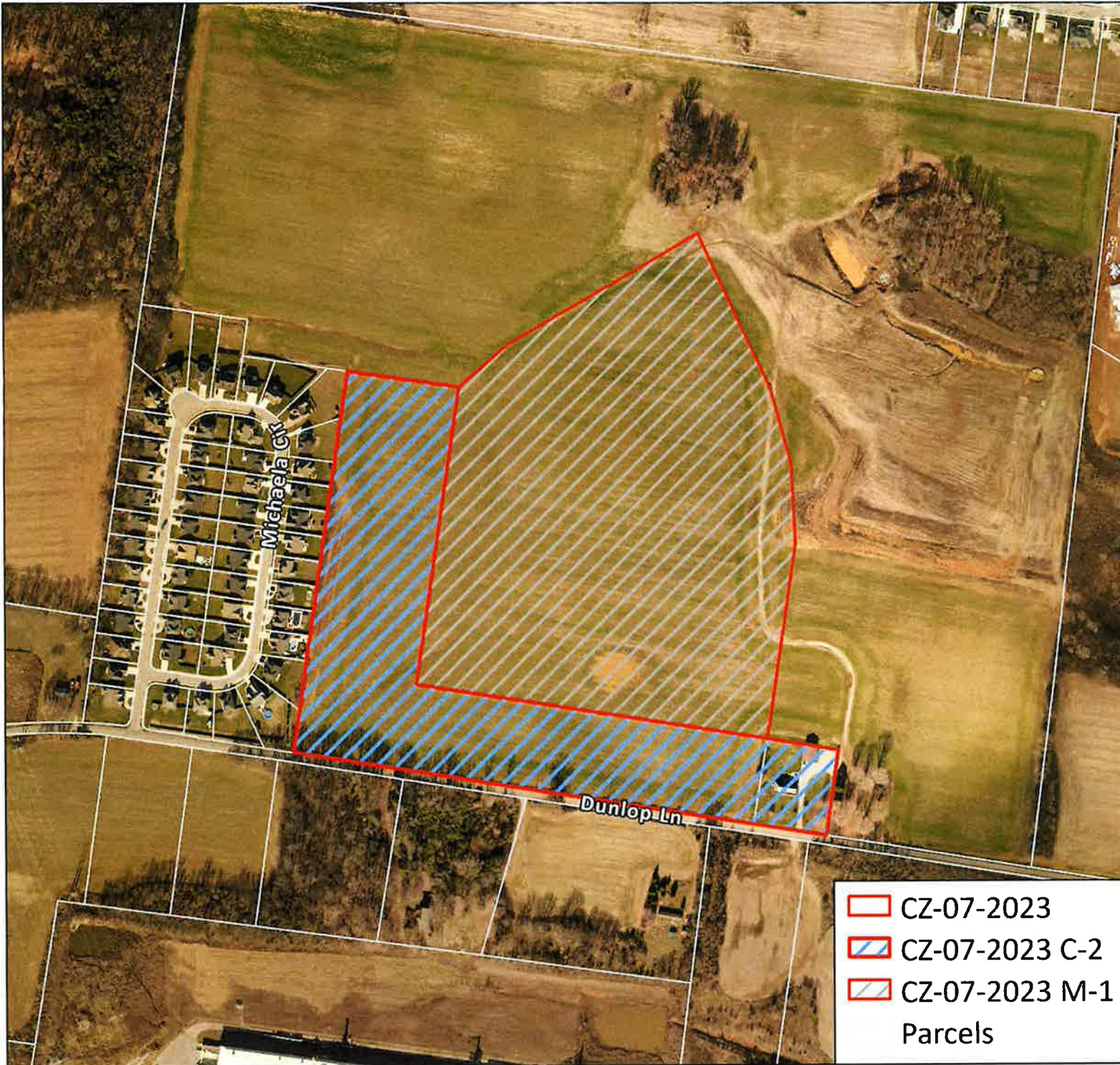
ACRES +/-
50.81

- CZ-07-2023
 - CZ-07-2023 C-2
 - CZ-07-2023 M-1
- Parcels

Scale: 1:15,000

0 710 1,420
Feet

8/29/2023



CZ-07-2023

APPLICANT:

BENJAMIN STANLEY,
DARREL & CAROL
SMITH

REQUEST:

AG




TO

C-2/M-1

MAP & PARCEL

039 00202
040 01100 (P)

ACRES +/-
50.81

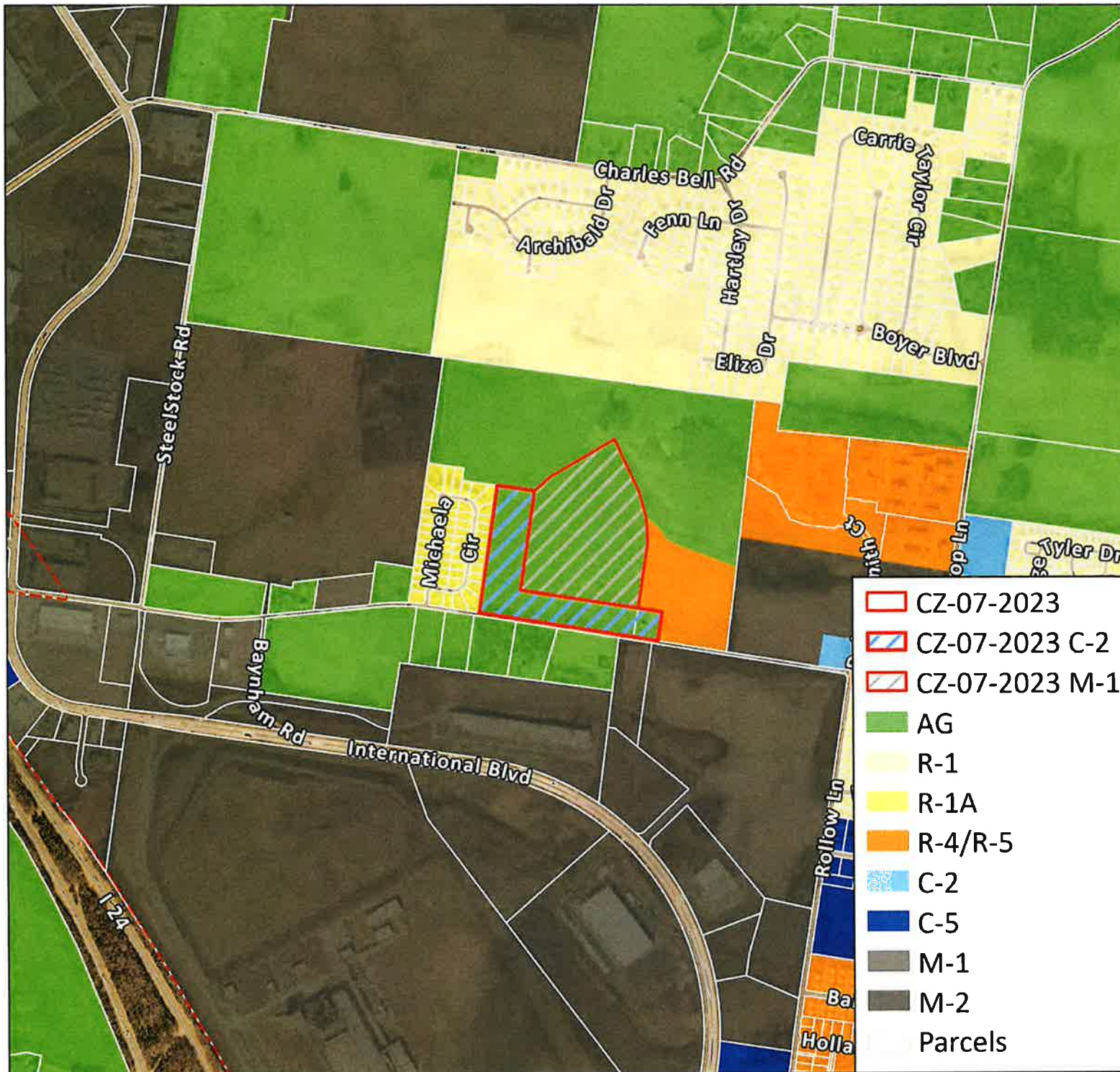
-  CZ-07-2023
 -  CZ-07-2023 C-2
 -  CZ-07-2023 M-1
- Parcels

Scale: 1:5,000

0 250 500
Feet

8/29/2023





- CZ-07-2023
- CZ-07-2023 C-2
- CZ-07-2023 M-1
- AG
- R-1
- R-1A
- R-4/R-5
- C-2
- C-5
- M-1
- M-2
- Parcels

CZ-07-2023

APPLICANT:

BENJAMIN STANLEY,
DARREL & CAROL
SMITH

REQUEST:

AG

TO

C-2/M-1

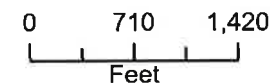
MAP & PARCEL

039 00202

040 01100 (P)

ACRES +/-
50.81

Scale: 1:15,000



8/29/2023

CASE NUMBER: CZ 7 2023 **MEETING DATE** 08/29/2023
APPLICANT: Benjamin Stanley Darrel & Carol Smith
PRESENT ZONING AG **PROPOSED ZONING** C-2
TAX PLAT # 040 **PARCEL** 011.00(p/o)
GEN. LOCATION Property fronting on the north frontage of Dunlop Lane, 2,800 +/- feet west of the Dunlop Ln. & Rollow Ln. intersection

PUBLIC COMMENTS

DISCLAIMER: The items provided in this section have been included as part of the public comment process. The CMCRPC cannot provide assurances to the validity of these items, to include emails, comments, photos, site plans, design details, etc. as they have not been reviewed for the purposes of accuracy and/or regulatory compliance. It is further noted that Site Plans, Subdivision Plans, Design Details, etc. that are submitted as part of this section are non-binding & may be altered prior to seeking CMCRPC approval, with the exception of PUD, MXU-PUD & MLUD Districts.

Emails in the file.

Re: Case Cz-7-2023 Floodzone AH on property

1 message

Mary Dumbovich <mdumbovich@icloud.com>
To: John Spainhoward <john.spainhoward@cityofclarksville.com>

Mon, Aug 28, 2023 at 3:45 PM

Ok John , thank you for the information. I look forward to being at the meeting tomorrow . Have a great one.
Rob Dumbovich

Sent from my iPad

On Aug 28, 2023, at 12:55 PM, John Spainhoward <john.spainhoward@cityofclarksville.com> wrote:

Robert,
Per their traffic access, the access drive to the site would be at the high point of the rise along their frontage on Dunlop Lane. This would produce the greatest amount of site distance for the access to the site. As previously mentioned we will not debate the application, so I will not be responding to the other questions in your email.

Regards,
JTS

On Mon, Aug 28, 2023 at 10:57 AM Mary Dumbovich <mdumbovich@icloud.com> wrote:

John good morning. Rob Dumbovich again. I am reaching out in regards to the planned entrance to the proposed Rezoning and development.

I appreciate your information about the entrance location. However, I do have a few questions and concerns in that regard.

(1) ,wasn't Industrial Blvd. designed to handle heavy industrial traffic and give safe and direct access from Highway 24 to established and future industrial development?

(2) Was it constructed with the intent of isolating all of the manufacturing from residential properties as the New LG Plant is designed ?

(3) Is there an excess of unused and undeveloped M1/2 properties already located on Industrial Blvd. with access to any proposed development?

(4) . Shouldn't the new proposed rezoned property be an asset to our community ?

(5) . How does Rezoning and development of this property benefit the near by communities and can Mr. Stanley make those known ?

(5) Will this Rezoning and development benefit Mr. Stanley's bottom line more rather than the near by residents?

No matter where the entrance is placed, it will either extend into a proven flood area behind Michaela Circle or it will have to come onto Dunlop Lane which will cause massive traffic with cement trucks and 16 wheelers during development and afterwards to service the property.

There are 2 routes to the property from HW 24. One is from exit 8 onto Industrial Blvd then up Dunlop Lane . The other route is Exit 8 onto Rossview Rd with a 90 degree , blind turn onto Rollow Rd. This would be too hard and unsafe for 16 wheelers and traffic. Either route would cause traffic congestion with 16 wheel trucks that would service the developed property.

So again , who benefits more from this Rezoning, the residents who would be left with the negative impact of new heavy traffic that Dunlop Lane is not designed to handle rather than Industrial Blvd. ,which was specifically designed for quick access to manufacturing and to handle appropriate heavy traffic loads ?

I think this is why Industrial Blvd. was planned so well . The planners sectioned the area out so well so far have done an amazing job by taking residents as well as development into consideration that makes all of our lives here in Clarksville such a great place to live and enjoy. I hope you will continue the same concern for the best interest of the residents .

Robert Dunbovich

Sent from my iPads

On Aug 25, 2023, at 4:40 PM, John Spainhoward <john.spainhoward@cityofclarksville.com> wrote:

Rob,
Yes they have. Reach out to me on Monday so can confirm & share the location that was identified in their traffic assessment.

Regards,
JTS

On Fri, Aug 25, 2023, 4:25 PM Mary Dumbovich <mdumbovich@icloud.com> wrote:
John,
Rob here, I have a question. Has the owner given the RPC any indication of where they plan to enter and exit the property?

Sent from my iPad

On Aug 18, 2023, at 4:22 PM, John Spainhoward <john.spainhoward@cityofclarksville.com> wrote:

Mary & Robert,
No part of my email stated that a decision has been made on this application. The basis of the email was to reiterate that the RPC Staff is aware that there is a known drainage area/basin on a portion of the property. That has also been shared with the RPC's appropriate contact for drainage matters, in the unincorporated area of the county, which is the Montgomery County Building & Codes Dept. The email was also meant to state the fact that the drainage area/basin exists on a portion of the property and that does not change whether it is zoned Agricultural, Residential, Commercial, Industrial, etc. It may be a factor in the process of making a decision on the application, but it does not prohibit the consideration of the application. Regardless of the form of development, whether it's Residential, Commercial, Industrial, etc. there are additional applications that must be submitted, reviewed & approved before a project can move forward. In all those types of development a plan to address the drainage is required. Hopefully this adds some clarity to the matter.

Regards,
JTS

On Fri, Aug 18, 2023, 3:22 PM Mary Dumbovich <mdumbovich@icloud.com> wrote:

Please bare with me John. So what I am getting out of your response is that the RPC has already made up it's mind to re zone to C2 and M1. Until there is a construction plan submitted by the owner, your hands are tied and the RPC can not request any proof from the owner that Rezoning to C2 or M1 will not intrude into a floodplain.

But , after he submits his construction plan, then he will be required to have the plat done that will potentially show that his C2and M1 are in a 100 year floodplain , and will be prohibited from building in that area, as required in the plat for part of Michaela Circle in the 100 year flood plain

I'm not trying to be hard headed, I hope I am explaining my thoughts. The pictures of flooding into the 100 year floodplain in Michaela Circle prove that the Weakley Brothers survey is accurate and that next survey will more than likely extend that 100 year Floodplain from Michaela Circle into the farmland.

After the construction plans are submitted and a land survey is done , will the pictures by residents of actual flood conditions be submitted along with the surveyors results in making floodplain decisions by the surveyors for final analysis of the plat for the property?

Flooding is a true concern to all of us, especially future increased flooding created by potential development.

I hope that the RPC's major concern for development on the property is not solely limited to , that the buildings are built to NFIP standards and but more so to whether the property should be developed on.

Again thank you for your considerations and time

Robert Dumbovich [1096 Michaela Circle](mailto:1096MichaelaCircle)

Sent from my iPad

On Aug 18, 2023, at 12:55 PM, John Spainhoward
<john.spainhoward@cityofclarksville.com> wrote:

Mary & Robert,

Thank you for your email. Please be aware that the Montgomery County Building & Codes Dept. (Responsible for review of drainage for the unincorporated area of the community) is aware of the zone change request. At present what is being considered is the future lane use designation for portions of the property. Regardless of the zoning designation of the property, once a development plan, in the form of a site plan, subdivision plan, etc. is applied for, that is the phase of development at which drainage plans, calculations, specific to their proposed development/construction project are required for consideration & review or applied as a condition of release of a building permit.

The RPC Staff & Montgomery County Codes Dept. are aware of the conditions of the property. Again regardless of the zoning classification, once a proposed development plan is required, the developer will be required to submit ALL required information & subject to all requirements for ALL development standards to include drainage.

Regards,
JTS

On Fri, Aug 18, 2023, 12:28 PM Mary
Dumbovich <mdumbovich@icloud.com> wrote:

John , thank you for you quick response to my concern about development on flood prone farmland. I have included the Final Plat for Michaela Circle and several pictures that prove the Plat's accurate description of lots 14,15,16,17,18,19 ,20 ,29 and 30 s being in a 100 year flood plain with no construction or fill in this area.

Regaurdless of wether your assessment that the flooding in form of ponds water on the farmland constitutes the FEMA definition of " PONDING HAZARD " and would requires that Floodzone AH is appropriate , I am waiting correspondence from Amy J MILLER of the Tennessee State EmergencyAgency to clarify that matter.

The pictures of the flooding on the farmland at each end of the Michaela Circle property, indicates that at the very least the 100 year floodplain that is shown in the Final Plat of

Michaela Circle should be extended into the farmland as well since the flooding does not stop at the property line. There are pictures from each end of the property that are in the 100 year Floodzone. One shows a fence in a yard that has been breached by floodwater. Another shows ponding floodwater that has frozen in the winter at the other end of Michaela Circle bordering Dunlop Lane. Regardless, [FEMA.GOV](https://www.fema.gov) states in it's section on PERMIT FOR FLOODPLAIN DEVELOPMENT, that " If FEMA has not defined the SFHA within a community, the community shall require permits for all proposed construction or other development in the community, so that it may determine whether such construction or other development is propose within flood prone areas". The pictures of the floodwaters on the farm and the map of the proposed C2 and M1 construction zones, indicate that the 2 zones are within a 100 flood zone, if the 100 year Floodzone in Michaela Circle were extended to the floodwaters as they reasonably should be. I have asked, Amy Miller for clairification on these matters. I will keep you informed on any correspondence from her or the Tennessee Emergency Managment Agency. My only concern is that, future construction on this property will cause flood damage to our neighborhood. And that if the RPC or the Commissioners are negligent in abiding by and enforcing NFIP regulations, and are not compliant with the NATIONAL FLOOD INSURANCE PROGRAM ACT of 1968, that FEMA would be prohibited from providing flood insurance to the residents of Michaela Circle. Thank you for your concern, Robert Dumbovich [1096 Michaela Circle Clarksville Tn 37043](https://www.google.com/maps/place/1096+Michaela+Circle+Clarksville+TN+37043)

Sent from my iPad



John T. Spainhoward, Jr. *Deputy Director of Planning*

Clarksville Montgomery County Regional Planning Commission

931 845.7448 john.spainhoward@cityofclarksville.com

329 Main Street Clarksville, TN 37040









Request To Decline Application on Case Number CZ-7-2023

1 message

Jenkins, Gary <GARY.JENKINS@ingevity.com>

Wed, Aug 23, 2023 at 12:21 PM

To: "rpc@cityofclarksville.com" <rpc@cityofclarksville.com>

Cc: "John.spainhoward@cityofclarksville.com" <John.spainhoward@cityofclarksville.com>

Hello RPC,

I received an updated notification on August 15, 2023, regarding the subject case and rezoning of 1601 Dunlop Lane from AG to C-2/M-1. I am writing this to you to urge you to oppose this application.

First, the reason for request continues to reference "properties have M-2 zoning on all 4 sides...". This is a false assumption. In fact, the remainder of the reason suggests the C-2 buffer around the neighborhood is for an adjacent, non-M-2 property. The only access point to this property because there are residential properties to the N, W, and S. To the E is Dunlop Lane, on the other side of which is an industrial property – which has an access point from International Blvd. This location has residential zoning surrounding it. To place an industry in the middle would lessen the appeal of the surrounding properties. While this may not impact assessed property values, it will impact market prices, potentially costing residents significantly in the long-term.

Second, the infrastructure in this area is not suited for an industrial-type zoning. If you have an opportunity to visit this property, you would see this clearly. Dunlop Lane itself is a 2-lane country road – the kind John Denver would sing about. Industrial properties usually require larger vehicles for the transport of goods in and out. Dunlop Lane is not only too narrow for a steady flow of such traffic, it is also naturally obstructive. The road crosses rolling hills, so a driver cannot adequately see what's over the hill until they crest it. Past the property on the N side is Rollo Lane, another 2-lane, hilly country road. Past it on the S side is International Blvd. The Coca-Cola building by the railroad tracks on Dunlop Lane is just at the point of the 2-lane portion of the road. Trucks have to swing wide in order to gain entrance to that site. Fortunately, that property is flat, so approaching vehicles have enough distance to properly react to that traffic. The property in question has a couple of hills which would obstruct views for other passers-by on Dunlop Ln.

Third, we seem to already have sufficient locations for businesses already zoned in Montgomery County. There are places being built on International Blvd, Hwy 79 N of I-24, on Hwy 41 S of Sango, and in other areas. These are locations with the infrastructure to help industries be successful. Let's use those to their fullest capacity and allow the Clarksville area to grow into itself.

I believe a more suitable option for this property, if it MUST be rezoned from AG, would be residential for single-family houses. I believe several residents from Beech Grove would be interested in extending their lots into this property should such an opportunity become available. I personally would love this to remain AG as my property backs into the property in question. Deer, turkeys, hawks, falcons, rabbits, coyotes, and other wildlife enjoy roaming through this area, especially as their roaming locations are steadily declining. It provides a peaceful home setting. An industry would add noise, light, and smell pollution to this natural area. Even with a buffer, which I admittedly don't understand how a buffer would function or what it would look like, there would be less enjoyment from living in Beech Grove or Hartley Hills than exists today.

Please consider declining this application.

Thank you,

Gary

Gary A. Jenkins

Plant Accounting Manager

843.740.2140 (T) 318.780.9038 (M)



Ingevity

[4920 O'Hear Avenue, Suite 400](#)

[North Charleston, SC 29405](#)

www.ingevity.com

Re: CZ-7-2023

1 message

John Spainhoward <john.spainhoward@cityofclarksville.com>

Wed, Aug 16, 2023 at 1:28 PM

To: lisa ives <lmrives@gmail.com>

Cc: rpc@cityofclarksville.com, Billy Frye <district19@mcgtn.net>, Jeffrey Tyndall <jeffrey.tyndall@cityofclarksville.com>

Ms. Ives,

The file for the zone change application is a public record. It is open to review during normal business hours. It is very common for individuals that have an active application to inquire on the status of their application, review the items submitted by the departments involved in the review & the comments from the general public.

Regards,
JTS

On Wed, Aug 16, 2023 at 12:37 PM lisa ives <lmrives@gmail.com> wrote:

Good afternoon. In reference to the below attachment of case CZ-7-2023, this honestly should be a brand new case and not riding on the deferral of the original request.

It is curious that the reasoning to reconsider the Rezoning Request is due to feedback from the area. This seems as if information has been provided to Mr. Stanley and the Smith's before the case has come to the RPC with our opportunity to have three speakers in opposition. I will greatly appreciate an immediate response for comprehension of this matter.

In the meantime, the RPC and perhaps Billy Frye are being inundated with emails from my neighbors in Beech Grove and rightfully so, about flooding and FEMA definition. I will point out again that "properties have M-2 zoning on all four sides" is absolutely incorrect. I'll remind you that Beech Grove, Hartley Hills, Boyer Farms, Hickory Wild and The Reserve at Kirkwood are all infact residential. All (besides Beech Grove) were approved by the RPC. County Commissioners went against advice of RPC for Beech Grove.

Dunlop Lane is not up to par by any means to handle further development, be it more residential and certainly not industry in any form. I have suggested to Billy Frye to drive this strip of Dunlop Lane in inclement weather especially and at all times of day. I'll suggest to all of the RPC as well. Perhaps any of you may experience an irrational driver, passing illegally and over a blind spot with a near miss as I have many times.

Thank you for your attention.

Lisa Ives
1088 Michaela Circle
Clarksville, TN 37043

**John T. Spainhoward, Jr.** *Disputy Director of Planning**Clarksville Montgomery County Regional Planning Commission*

931 845 7443 john.spainhoward@cityofclarksville.com

329 Main Street Clarksville, TN 37040

cmcrpc.com

Re: Case Cz 7-2023, incorrect floodzone

1 message

John Spainhoward <john.spainhoward@cityofclarksville.com>

Wed, Aug 16, 2023 at 1:18 PM

To: John Doss <jhdoss@mcgtn.net>

Cc: "mdumbovich@icloud.com" <mdumbovich@icloud.com>, Jackey Jones <Jackey.Jones@cityofclarksville.com>, Angela Latta <angela.latta@cityofclarksville.com>, Jeffrey Tyndall <jeffrey.tyndall@cityofclarksville.com>, "Rod C. Streeter" <rcstreeter@mcgtn.net>

John,

Thank you for the information. No need to be sorry. I wanted you to be aware of the neighboring concerns & your answer is what I anticipated. I just wanted to make sure that we weren't missing something.

Regards,
JTS

On Wed, Aug 16, 2023 at 9:51 AM John Doss <jhdoss@mcgtn.net> wrote:

Good Morning,

The flood designations and rules are designed around riverine flooding. That is why the FEMA Flood Insurance Rate Maps only show those areas very close to rivers and streams, and the AE, A, AO, AH, etc. designations are for those areas. All other areas are shown as X flood zones (areas of minimal food hazard). Please note that wetlands and sinkholes not associated with established flood ways and flood zones are registered as X zones, even though both can over-top boundaries and cause localized flooding as is the case in your situation.

As far as the rezoning case CZ-7-2023 is concerned, I am unable to tell you what the owners are putting on the site because I haven't seen any construction plans yet. I don't know how they intend to handle the water in the area. I can tell you they will be required to ensure that flooding does not occur in adjacent areas. I understand that this is not what you wanted to hear, but I can't order a flood study at this time. Perhaps when plans are submitted, I can review them with you. That would allow you to understand the site design intent.

Yours,

John H Doss
Montgomery County Stormwater Coordinator
350 Pageant Lane; Suite 309
Clarksville, TN 37042
931-648-5718

From: John Spainhoward <john.spainhoward@cityofclarksville.com>

Sent: Tuesday, August 15, 2023 12:56 PM

To: John Doss <jhdoss@mcgtn.net>

Cc: Jackey Jones <Jackey.Jones@cityofclarksville.com>; Angela Latta <angela.latta@cityofclarksville.com>;

Jeffrey Tyndall <jeffrey.tyndall@cityofclarksville.com>; Rod C. Streeter <rcstreeter@mcgtn.net>
Subject: Fwd: Case Cz 7-2023, incorrect floodzone

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Mr. Doss,

We have received multiple emails relative to application CZ-7-2023. The past few emails have been relative to possible FEMA standards, flood plain, etc. I wanted to share one of these emails with you, let you review the comments & provide any comment that you think is needed for the RPC Staff & Commission. Please feel free to reach out to me with any questions or concerns.

Regards,
JTS

----- Forwarded message -----

From: Mary Dumbovich <mdumbovich@icloud.com>
Date: Tue, Aug 15, 2023 at 12:51 PM
Subject: Fwd: Case Cz 7-2023, incorrect floodzone
To: <john.spainhoward@cityofclarksville.com>
Cc: <jackey.jones@cityofclarksville.com>

Sent from my iPad

Begin forwarded message:

From: Mary Dumbovich <mdumbovich@icloud.com>
Date: August 9, 2023 at 2:48:08 PM CDT
To: Robert Koewler <Robert.Koewler@tn.gov>
Subject: Fwd: Case Cz 7-2023, incorrect floodzone

Rob, I sent this email to the RPC and bill Frye. Along with photos. I had to send photos separately do to email storage capacity... just wanted to keep you informed.
Rob next door.
Sent from my iPad

Begin forwarded message:

From: Mary Dumbovich <mdumbovich@icloud.com>
Date: August 9, 2023 at 12:30:10 AM CDT
To: rpc@cityofclarksville.com
Cc: district19@mcgtn.net
Subject: Case Cz 7-2023, incorrect floodzone

I am Robert Dumbovich, living at 1096 Michaela Circle Clarksville Tn 37043. I am writing in regards to Case -7-2023 , Rezoning from R2 to M2.

My intent is to convey that through [FEMA.GOV](https://www.fema.gov) and the pictures included taken by residents of Michaela Circle over 3 consecutive years, that the property in question is incorrectly designated as Floodzone x marginal flooding , instead of Floodzone AH 100 year floodplain. Due to consistent flooding on this property in the form of "Ponds", by FEMA's standards , this should be designated as AH 100 year floodplain.

As noted by FEMA , PONDING HAZARD is described as , " a flood hazard that occurs in flat areas where there are depressions in the ground that collect "ponds " of water. The ponding is represented by the (zone designation AH), on the FLOOD INSURANCE RATE MAP(FIRM). The pictures included show a history of substantial flooding in the form of Ponding on this property for at least 3 consecutive years.

As noted by [FEMA.GOV](https://www.fema.gov) , Clarksville is a participating Community in the National Flood Program. Community #470137B. And as such the RPC has designated itself as Floodplain Administrator to officially work with FEMA to mitigate flooding conditions in Clarksville and providing updated and accurate data to FEMA to keep flood maps current.

Please refer to [FEMA.GOV](https://www.fema.gov) , National Flood Insurance Program Terminology Index which lists NFIP definitions, regulations and practices.

There you will see listed : COMMUNITY COMPLIANCE PROGRAM. It stated that the National Flood Insurance Act of 1968, prohibits FEMA from providing insurance unless the Community adopts and enforces FloodPlain Management Regulations.

Also noted is this same section is , Flood Zones. FEMA describes these Flood Hazard areas as SFHA, Special Flood Hazard Areas . SFHA are defined as "the area that will be inundated by the flood event having a 1% chance of being equaled or exceeded in any given year. The pictures were taken in 3 consecutive years for a 100% chance of inundated flooding.

The 1% annual chance flood is also referred to as the BaseFlood or 100 year flood. SFHAs are labeled as (Zone A, Zone AH)among others.

The pictures included taken by residents neighboring the property in question were taken for 3 consecutive years from 2018-2019 and 2020. They show that there is a history of substantial flooding in the form of Ponding, on the North side , Center and South side bordering Dunlop Lane. This is 100% flooding events for 3 consecutive years.

Also in the same section is , COMPENSATORY STORAGE.

The NFIP floodway standard in 44 CFR 60-3d, "restricts new development from obstructing the flow of water and increasing flood heights. Especially in flat areas, the floodplain provides a valuable function by storing floodwaters. When buildings are placed in the flood fringe , the flood storage area is lost and flood heights WILL GO UP because there is less room for the flood waters".

Please again refer to the same section, ALTERATION OF A WATERCOURSE.

In this section FEMA states that " there are 2 "requirements " for maintaining flood carrying capacity of an ALTERED WATERCOURSE. (1),The altered or relocated watercourse must have the same or Greater capacity as the original watercourse, (2), once alteration is made ,the capacity of altered or relocated watercourse must be maintained over time". By FEMA's Excess Water Storage clause , " 1 acre of floodplain flooded 1 foot deep holds approximately 330,000gallons of water. These pictures indicate that the depth of water is far deeper than 1 foot and covers almost half of the property.

Lastly, the COMMUNITY - INITIATED MAP REVISIONS section states :the flood hazard maps must present flood risk information that is correct and up to date to ensure that they provide a sound basis for floodplain management and insurance ratings. FEMA relies heavily on Communities to provide notification of changing flood hazard information and to submit the support data needed to reflect the updated flood hazards on the NFIP maps.

FEMA also states that updates to flood maps are a collaboration between your community and FEMA. Every community that participates in the NATIONAL FLOOD INSURANCE PROGRAM has a floodplain administrator who works with FEMA during the mapping process.

It also states that a COMMUNITY MEMBERS are invited to provide information to help local officials better understand how water drains in the area.

The included pictures are the most accurate, and up to date data for updating the property flood zone and flood map. This is the property's flood history.

With that , I request on behalf of the residents of Michaela Circle and the residents of the other bordering community, The Reserve at Kirkwood, that you as Floodplain Administrators, take into account all of the information and pictures presented to you,as evidence of incorrect designation of flood zone for this property, and initiate a LOMR,with FEMA to update the flood map and flood designation to AH.

Until such time as the mapping update is finished, the evidence of flooding on the property should be taken into account and the property should be treated as Zone AH.

FEMA requires that, " the community must review all permit applications to determine whether the proposed building sites will be (reasonably safe) from flooding as one of the minimum NATIONAL FLOOD INSURANCE PROGRAM (NFIP) flood management requirements established by NFIP regulations".

Overlooking the pictorial evidence and FEMA regulations and practices would be Reckless disregard of your obligated duties as Floodplain Administrators and as elected and appointed Representatives of the electorate that you represent.

Thank you for your consideration,
Robert Dumbovich
Email rdumbovich@cloud.com

Sent from my iPad

Fw: Case Cz -7-2023 incorrect floodzone designation.

1 message

'Robert Glenn' via GDL_web Planning Commission <rpc@cityofclarksville.com>

Tue, Aug 15, 2023 at 1:20 PM

Reply-To: Robert Glenn <yaga52@yahoo.com>

To: "rpc@cityofclarksville.com" <rpc@cityofclarksville.com>

Cc: "district19@mcgtn.net" <district19@mcgtn.net>

----- Forwarded Message -----

From: Robert Glenn <yaga52@yahoo.com>

To: mdumbovich@icloud.com <mdumbovich@icloud.com>

Sent: Tuesday, August 15, 2023, 12:00:21 PM CDT

Subject: Fw: Case Cz -7-2023 incorrect floodzone designation.

Case Cz-7-2023 Incorrect Floodzone Designation Floodzone X should be Floodzone AH 100year floodplain per FEMA standard definition.

----- Forwarded Message -----

From: yaga52 <yaga52@yahoo.com>

To: "rpc@cityofclarksville.com" <rpc@cityofclarksville.com>; "district19@mcgtn.net" <district19@mcgtn.net>

Sent: Wednesday, August 9, 2023, 02:11:55 PM CDT

Subject: Case Cz -7-2023 incorrect floodzone designation.

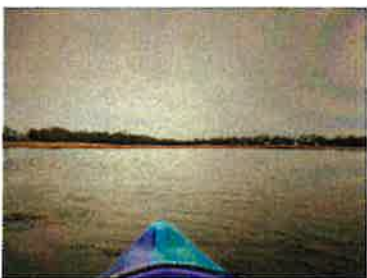
Robert Dumbovich here. Sorry that the pictures I wanted to attach to my email sent on Aug 8 2023 to request change of floodzone x to zone AH didn't attach. These are some of those pictures.

Sent via the Samsung Galaxy A52 5G, an AT&T 5G smartphone

5 attachments



20230516_190022.jpg
4657K



20230516_190015.jpg
5306K



20230516_190008.jpg
5108K

20230516_185919.jpg
6103K



20230516_185606.jpg
5715K



**City
of
Clarksville**

John Spainhoward <john.spainhoward@cityofclarksville.com>

rezoning proposal CZ-7-2023

1 message

Gunter Kaman <gkaman@n@gmail.com>

To: john.spainhoward@cityofclarksville.com

Wed, Jun 28, 2023 at 3:25 PM

Dear John Spainhoward,

Regarding the rezoning proposal CZ-7-2023 - I am against this because of several issues that will affect me, my neighborhood of Beech Grove, as well as other neighborhoods such as Boyer Farms, Hartley Hills, The Reserve at Kirkwood Apartments, and Hickory Wild. We didn't purchase our home to live next to a factory or plant. Would you?

We are very concerned that there hasn't been any type of studies such as water-pollution, water-flooding, crime-safety, geological, animal wildlife, traffic, emergency services plan, noise and air pollution, environmental-impact. Also, there must be a consideration on having plans for landscape-buffering, impact on home-depreciation, infrastructure of the surrounding areas, the air pollution and property damage during construction if you do approve change to M2?

You cannot approve CZ-7-2023 after considering all the above issues which will directly impact all of us in these neighborhoods.

Thank you,

Gunter Kaman

[1023 Michaela Circle](#)

[Clarksville, TN 37043](#)

July 19, 2023

William Frye; District19@mcgtn.net

Dear Mr. Frye:

I am writing on behalf of, **and my objection** to, case (CZ-7-2023) for rezoning the property on the north frontage of Dunlop Lane, 2,800 +/- feet west of Dunlop Lane and Rollow Lane intersection to industrial.

I sent you an email on 25June2023 and this follow up provides additional information emphasizing the flooding in the field behind my house and at least 7 other houses.

Houses on the field side of Michaela Circle were built in an area that is classified as a 100-year flood plain. By definition, a 100-year flood plain means that in any given year there is a **one percent** (1%) chance of flooding occurring. This area of land was certainly miscategorized. In several sections of the field, it floods during any significant rain event which typically happens several times a year. There are areas where the consistent flooding has eroded the field, creating a ravine. Although this ravine has helped some with ponding, with each significant rain event, the erosion widens. This significant river-like water flow continues to cut a deeper ravine that runs across the back side of Michaela Circle while creating several smaller ponds along its path. This all cumulates into a large pond/small lake in the field.

An example of the effects of the flooding is that my property fence line and fence had to be shortened to get further away from the flood zone. Photos are provided on the following page.

By rezoning this area to industrial, that would mean more concrete and asphalt leaving the water with no place to go except for backing up further into several homeowner's property. No one can control the weather or the flow of that "river." The industrial facilities may attempt to correct the flooding issue during their construction activities, but that water still needs to go somewhere. Any redirection would most likely push the water to impact the surrounding homes even more. If for some reason those industrial facilities do not consider the flood plain, they could potentially be impacted by flooding as well, causing them to shut down, lose valuable production hours, and perhaps even workers. At least with the current agricultural use of the field, some of the crops benefit from the flooding.

As I indicated in my previous email, I have experienced living in an area where the city decided to let contractors build in a flood zone. Year after year these homes dealt with water issues that impacted foundations, crawl spaces, walls, and floors while promoting unhealthy mold growth. After years of homes being damaged, the city finally declared it an inhabitable flood zone, tore down all the houses, and turned the area into a park. Although I applaud that long overdue action, that did nothing to alleviate the expenses and stress all those families endured for years, including many having to move.

I request that you vote **against** the rezoning of this area to industrial as it is in the middle of well-established neighborhoods. Please leave this area zoned for agriculture or residential.

Sincerely,

Karen T. Leonard
1068 Michaela Circle (Beech Grove subdivision)
Clarksville, TN 37043



1068 Michaela Cir
Flood event



1068 Michaela Cir
Fence line before



1068 Michaela Cir
Fence line after

Proof of danger on blind spot Dunlop Lane for case CZ-7-2023

1 message

lisa ives <lmrives@gmail.com>

Wed, Jul 19, 2023 at 10:08 AM

To: John Spainhoward <john.spainhoward@cityofclarksville.com>, rpc@cityofclarksville.com

Cc: Billy Frye <district19@mcgtn.net>

Good morning. I was able to take advantage of an accident at the blind spot on Dunlop Lane. Today, July 19, 2023, it is a stormy morning. The accident occurred in the 9AM hour. It took nearly an hour for a tow truck that of course backed traffic up from each direction. Both directions lead to intersections. One a short distance to a four way stop sign, the other a traffic light. Ea h way with inconvenience to notice in a timely manner if maintaining speed limit. Add the few who think attempting a 3 point turn on the narrow country road to reverse their direction. Accidents occur often enough right here, mostly late at night. I was almost hit head in the afternoon the day I noticed the Rezoning Notice while recovering my vehicle, for CZ-7-2023.

Thank you for your attention.

Lisa Ives
1088 Michaela Circle

Attached video, proof of accident and blind spot.

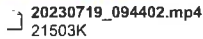
3 attachments



20230719_093719.jpg
323K



received_1055346568785963.jpeg
986K



20230719_094402.mp4
21503K





Re: CZ-7-2023 REZONING PROPOSAL FROM AG TO M2

1 message

John Spainhoward <john.spainhoward@cityofclarksville.com>

Mon, Jul 17, 2023 at 8:34 AM

To: Achilles Solomos <achilles.solomos@gmail.com>

Cc: Jeffrey Tyndall <jeffrey.tyndall@cityofclarksville.com>

Achilles,

Good morning. The "Reason for Request" is a statement provided by the applicant. I have reviewed the statement and the statement does appear to be correct. There is M-2 zoning within 2,500 feet to the north, south east & west. As far as information related to the surrounding zoning. All decision makers in the rezoning process are provided a map showing the zoning for the property & surrounding area, as well as an aerial photograph of the area.

Regards,
JTS

On Sun, Jul 16, 2023 at 8:19 PM Achilles Solomos <achilles.solomos@gmail.com> wrote:

Dear Mr. Howard,

Regarding CZ-7-2023 REZONING PROPOSAL from AG to M2, under 'Reason for Request, it states that all 4 sides has M-2 Zoning less than 2,500 feet away.

That is not entirely true.

What they fail to mention is that there are Residential on 3 of the 4 sides to this land area.

Please advise if this factual information will be taken into consideration.

Regards,
Achilles Solomos
1112 Michaela Cir,
Clarksville, TN 37043



John T. Spainhoward, Jr. Deputy Director of Planning

Clarksville Montgomery County Regional Planning Commission

931 645 7448 john.spainhoward@cityofclarksville.com

329 Main Street Clarksville, TN 37040

cmrpc.com



John Spainhoward <john.spainhoward@cityofclarksville.com>

Fwd: Rezoning Proposal CZ-7-2023

1 message

Angela Latta <angela.latta@cityofclarksville.com>
 To: John Spainhoward <john.spainhoward@cityofclarksville.com>

**Angela D Latta**

Planning Tech

Clarkville-Montgomery County Regional Planning Commission

Office: 931.645.7448

angela.latta@cityofclarksville.com

329 Main Street Clarksville, TN 37040

cmrpc.com**Help Shape a Vision for the Future!**

Help Shape a Vision for the Future!



----- Forwarded message -----

From: **Achilles Solomos** <achilles.solomos@gmail.com>
 Date: Wed, Jun 28, 2023 at 9:38 PM
 Subject: Re: Rezoning Proposal CZ-7-2023
 To: <rpc@cityofclarksville.com>

I would like to add and also stress that there has not been a wildlife study for this Rezoning proposal. Over the years as well as recently, there are eyewitness accounts and photos over this same Agriculture area of Bald Eagle, Egrets, Blue Herons, Hummingbirds, Red Headed Woodpeckers, state bird), Canada Geese, and Brown-headed Cowbirds, Cardinals, Brown Thrasher, and many more. Majority of these species are Federally protected under the Migratory Bird Treaty Act, which forbids removing their nests and eggs, as well as making any changes in the area. As well as The Act (16 U.S.C. 668-668d).

Please see attached photos taken from my yard as well as some neighborhood resident's yards as documented proof (I have many more photos).

Achilles Solomos
 1112 Michaela Cir
 Clarksville, TN 37043

On Tue, Jun 27, 2023 at 10:07 PM Achilles Solomos <achilles.solomos@gmail.com> wrote:

To the Regional Planning Commission,

Subject: CZ-7-2023, Rezoning proposal from AG to M2

I am writing this letter opposing the rezoning of the 144.4 acre agriculture land on the north frontage of Dunlop Lane that is adjacent to Beech Grove and other neighborhoods. There are se of this area would directly impact the surrounding residents of Beech Grove, Boyer Farms, Hartley Hills, The Reserve at Kirkwood Apartments, and Hickory Wild.

One of the many reasons the majority of the residents purchased and reside in the immediate area is because we all have been told by the developers and realtors that the adjacent Agricul on due to the ongoing and unsolvable flooding issues. We did not purchase our home only to eventually be adjacent to an industrial property. Would you enjoy living with your family in a ho

Some other areas of concern, has there been a geological study, animal wildlife study, noise pollution study, air-pollution study, emergency services plan, water-pollution study, water-floodir study, environmental-impact study?

Furthermore, has there been any consideration on home-depreciation; the surrounding infrastructure; Chapter 7 Landscaping Buffering; pollution/air-quality, and property/foundation damag ground/earth-moving construction vehicles once this area is changed to M2?

Considering all above issues, and items in question, which will directly impact the thousands of surrounding residents, the only course of action is to deny this rezoning request of CZ-7-202

Yours Truly,
Achilles Solomos
[1112 Michaela Circle](#)
[Clarksville, TN 37043](#)

5 attachments



353105503_643872277626980_304357843744072939_n.jpg
11K



DSC05606.JPG
1576K



DSC05637.JPG
2063K



DSC06415 (2).JPG
319K



DSC06701.JPG
2881K



John Spainhoward <john.spainhoward@cityofclarksville.com>

Fwd: Case Cz -7-2023, is this really minimal flooding zone x ?

1 message

Angela Latta <angela.latta@cityofclarksville.com>

To: John Spainhoward <john.spainhoward@cityofclarksville.com>

**Angela D Latta***Planning Tech**Clarksville Montgomery County Regional Planning Commission***Office:** 931.645.7448angela.latta@cityofclarksville.com

329 Main Street Clarksville, TN 37040

cmcrpc.com**Help Shape a Vision for the Future!**[Join the Conversation at the Comprehensive Plan](#)

----- Forwarded message -----

From: 'Mary Dumbovich' via GDL_web Planning Commission <rpc@cityofclarksville.com>

Date: Wed, Jun 28, 2023 at 7:06 PM

Subject: Case Cz -7-2023, is this really minimal flooding zone x ?

To: <district19@mcgtn.net>Cc: <rpc@cityofclarksville.com>

This property is unsuitable for development as long as moisture from the Gulf of Mexico affects the rain in this region.

Sent from my iPad

PNG image 5.png
4329K



City
of
Clarksville

John Spainhoward <john.spainhoward@cityofclarksville.com>

Fwd: Case cz-7-2023

1 message

Angela Latta <angela.latta@cityofclarksville.com>

To: John Spainhoward <john.spainhoward@cityofclarksville.com>



Angela D Latta

Planning Tech

Clarksville Montgomery County Regional Planning Commission

Office: 931.645.7448

angela.latta@cityofclarksville.com

329 Main Street Clarksville, TN 37040

cmcrpc.com

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worked in the Comprehensive Plan



----- Forwarded message -----

From: 'Mary Dumbovich' via GDL_web Planning Commission <rpc@cityofclarksville.com>

Date: Wed, Jun 28, 2023 at 6:57 PM

Subject: Case cz-7-2023

To: <district19@mcgtn.net>

Cc: <rpc@cityofclarksville.com>

Another pic that didn't get sent. The photos of flooding sent in previous emails show property conforms more to AH 100 year floodplain than minimal flood chance zone x.

Sent from my iPad

2 attachments



IMG_1139.JPG
2838K

3BFA6FEA-B24F-4D1D-8E00-21587BAB18A7.MOV
1791K



John Spainhoward <john.spainhoward@cityofclarksville.com>

Fwd: Case cz-7-2023

1 message

Angela Latta <angela.latta@cityofclarksville.com>
 To: John Spainhoward <john.spainhoward@cityofclarksville.com>

**Angela D Latta**

Planning Tech

Clarksville Montgomery County Regional Planning Commission

Office: 931.645.7448

angela.latta@cityofclarksville.com

329 Main Street Clarksville, TN 37040

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----- Forwarded message -----

From: 'Mary Dumbovich' via GDL_web Planning Commission <rpc@cityofclarksville.com>

Date: Wed, Jun 28, 2023 at 6:04 PM

Subject: Case cz-7-2023

To: <district19@mcgtn.net>Cc: <rpc@cityofclarksville.com>

These are added pictures taken by residents of Michaela Circle Clarksville, These photos are visual evidence that the outdated 2008 FEMA designation of this property as zone x, " minimal cl photos document the annual flooding that can occur on this property that is being requested to rezoned to M2. Even though we know that the outdated FEMA assessment is flawed, we are not at this time.

We are asking that you take into account the evidence through these photos as evidence that this property does meet FEMA's criteria for "AH 100 year floodplain" designation when making a decision. The owner will undoubtedly promise that he can build such a system that can effectively drain and contain such vast quantities of surface water. However as we have documented visual proof of flooding contained, Mr. Stanley may only have a promise but no studies of factual figures of how much actual water there is to drain and contain.

These photos only show the surface water that remains after the land has been saturated. There is no way that anyone can assure that a system can be built to accommodate the extra ground water quantity of extra ground water that must be added to the surface water once the natural slow drainage by exposed ground is blocked off by buildings, service roads and parking lots.

The exposure of extra ground water to the already vast amount of surface waters will undoubtedly cause what was , general ponding to become minor flooding ,what used to be minor flood used to be major flooding to become catastrophic flooding.

Mr. Stanley's engineers would have to take into account all of these factors when coming up with safe designs for containment. Even if they could make an estimated appraisal of quantity , predict the future amounts of moisture from the Gulf of Mexico that affects rainfall in this region or the affect that tornados in the area have on our weather here.

We do know for a fact that the vast amounts of storm water drains slowly through the natural drainage of the exposed land, but when this land is no longer accessible through development , natural drainage will look for the path of least resistance. This path will be access roads and parking lots which give no resistance to the flow of water. Basically this developed property will be flooding that will make the property unable to do business. Workers will not be able to access the property, trucks will not deliver materials.

There is also a potential that industrial materials or chemicals stored inside or outdoors will be washed away by unrestricted flow of water through the property, Potentially causing an environmental disaster.

These factors have to be considered to keep the residents of the 4 surrounding communities that you represent and that depend on your judgements safe .

If the companies who are on the property find the flooding of their businesses too damaging to their business, they may just shut down and move to better suited properties near by . It is not fair to lose and abandon areas that are not suited to their business. We residents would be left with the problems left behind. Mr. Stanley through his web sight lists himself as a real estate investor in Tennessee, and Florida. We do wish Mr. Stanley much prosperity, but not at the expense of the lives and health of the residents of the 4 communities surrounding this property.

Mr. Stanley is rightly looking for a profit on his investment, after he sells his property he is off to another project, leaving this one and the residents behind. We however who make our home here pay taxes, and want to give our families the best of what Clarksville has to offer, will be left to deal with the aftermath .

Please take into consideration these photos as evidence of the vast quantities of waters to be dealt with and the areas that they cover on this property when weighing the best decision in the residents' well being that surround this property and that trust you to represent their best interests .

Thank you for your consideration.

Robert Dumbovich 1096 Michaela Circle Clarksville Tn, 37043

Sent from my iPad



**City
of
Clarksville**

John Spainhoward <john.spainhoward@cityofclarksville.com>

Case #CZ-7-2023 Rezoning 1601 Dunlop Lane

1 message

Chris Robinson <chrobinson1975@gmail.com>

Tue, Jun 27, 2023 at 8:16 PM

To: rpc@cityofclarksville.com, john.spainhoward@cityofclarksville.com, district19@mcgtn.net

To whom it may concern:

We live at 1105 Michaela Circle, Clarksville. This is part of the Beechgrove neighborhood. We are concerned about the rezoning of the land surrounding our neighborhood. Here are some of our concerns:

-Flooding. The land has been regraded to some extent but there is still a lot of standing water when it rains hard. If this is covered in concrete there will be little place for the water to go other than to the surrounding properties.

-Infrastructure- There is not the road infrastructure in place to support more industrial businesses along Dunlop Lane. There is lots of congestion as it currently is.

-Safety. Crime has been a concern in our neighborhood and adding more industries to our neighborhood would not improve the crime.

-Noise-Adding an industry to our neighborhood is going to increase the noise pollution in our quiet neighborhood.

-Property Value- Putting industrial buildings on this land will decrease the home values of all the surrounding neighborhoods.

We respectfully ask that you consider not rezoning 1601 Dunlop Lane to industrial.

Thanks for your time and attention,

Chris and Cathy Robinson
1105 Michaela Circle,
Clarksville, TN 37043



**City
of
Clarksville**

John Spainhoward <john.spainhoward@cityofclarksville.com>

Rezoning Proposal CZ-7-2023

1 message

Achilles Solomos <achilles.solomos@gmail.com>

Tue, Jun 27, 2023 at 10:10 PM

To: john.spainhoward@cityofclarksville.com

Subject: CZ-7-2023, Rezoning proposal from AG to M2

Dear Mr. Howard,

I am writing this letter opposing the rezoning of the 144.4 acre agriculture land on the north frontage of Dunlop Lane that is adjacent to Beech Grove and other neighborhoods. There are several issues and facts that any rezoning of this area would directly impact the surrounding residents of Beech Grove, Boyer Farms, Hartley Hills, The Reserve at Kirkwood Apartments, and Hickory Wild.

One of the many reasons the majority of the residents purchased and reside in the immediate area is because we all have been told by the developers and realtors that the adjacent Agriculture land cannot be changed nor built on due to the ongoing and unsolvable flooding issues. We did not purchase our home only to eventually be adjacent to an industrial property. Would you enjoy living with your family in a home next to a plant or factory?

Some other areas of concern, has there been a geological study, animal wildlife study, noise pollution study, air-pollution study, emergency services plan, water-pollution study, water-flooding study, crime-safety study, traffic-study, environmental-impact study?

Furthermore, has there been any consideration on home-depreciation; the surrounding infrastructure; Chapter 7 Landscaping Buffering; pollution/air-quality, and property/foundation damage during construction and usage of ground/earth-moving construction vehicles once this area is changed to M2?

Considering all above issues, and items in question, which will directly impact the thousands of surrounding residents, the only course of action is to deny this rezoning request of CZ-7-2023.

Yours Truly,

Achilles Solomos

[1112 Michaela Circle](#)

[Clarksville, TN 37043](#)



Fw: Case cz-7-2023

1 message

'Robert Glenn' via GDL_web Planning Commission <rpc@cityofclarksville.com>

Wed, Jun 28, 2023 at 1:39 AM

Reply-To: Robert Glenn <yaga52@yahoo.com>

To: "rpc@cityofclarksville.com" <rpc@cityofclarksville.com>

----- Forwarded Message -----

From: Robert Glenn <yaga52@yahoo.com>

To: district19@mcgtn.net <district19@mcgtn.net>

Cc: rpc@cityofclarksville.com <rpc@cityofclarksville.com>

Sent: Wednesday, June 28, 2023, 01:35:10 AM CDT

Subject: Case cz-7-2023

The parcel in question, is designated by FEMA as zone x, minimal flooding. However these pictures were taken on that property, on and about 3-30-2020 by Clarksville Police Officer Lisa Fatula and are visual proof that flooding does occur on that property.

The FEMA definition of 100 year floodplain "AH", describes, areas with 1% annual chance of shallow flooding usually in a form of a pond, with an average depth ranging from 1 to 3 feet flood elevations derived from detailed analyses are shown at selected intervals within these zones.

FEMA's designation was done in the year 2008. These pictures along with others that I will provide, which will include Ariel views of the area of the property affected by flooding and other ground views of the flooding on different years, are current proof of annual flooding that fit the description of 100 year Floodplain AH.

The on water survey by kayak by Officer Fatula and the ariel views by a resident are more accurate methods of assessing the flooding that occurs on that property than the method FEMA used in 2008. With that said, even though there is no current FEMA flood survey of the property, these pictures meet the letter of what FEMA consider 100 year floodplain zone, AH, and should be taken into consideration when deciding zone change to M2.

There is definite ponding, the trees indicate that they are covered by at least a minimum 1 foot of water, and by Officer Fatula taking the pictures of trees at different areas shows the depth of flood water at selected intervals in the zone.

Covering this property with any structures such as buildings, service roads and parking lots will only create a greater potential for larger and more intense flooding, that potentially may not be effectively contained or drained. If there are industrial chemical materials stored inside or outside, this extra excessive amount of flood waters may potentially breach these chemicals or industrial materials causing an environmental hazardous situation such as happened in East Palestine Oh. If that does happen, those materials and chemicals will undoubtedly leach into the nearby residential properties. East Palestine didn't have to happen, it could have been prevented by a brake that was overlooked. It was too late for the residents of East Palestine and it would be too late after the fact, for the residents of the 4 communities that surround the property being considered for zone change to M2 knowing the history of flooding and the potential of creating more intense flooding on this property.

As a retired 40 year American Airlines mechanic and 20 year Union safety man in Pittsburgh, my duties were to deal with active safety issues and to recognize potential unsafe conditions and bring them to the company's attention and work with the company to resolve those unsafe issues. When dealing with potential unsafe conditions, we always took the potential worst case scenario into account. A number of accidents were prevented by this procedure of taking the worst case

scenarios into account. This East Palestine type accident can and should be prevented here by the sound stewardship that you were entrusted with and considering the worst case scenario.

Mr. B. Stanley owns the property, and is by his own web sight a real estate investor , owning 60 properties in Kentucky, Tennessee, and Florida. We wish Mister Stanley much prosperity, but no at the expense of the permanent residents of the 4 surrounding communities. Once his property is sold he will move on . If there is an East Palestine type mishap, he will be moved on to another project, leaving the remaining residents here to deal with the aftermath, as now are the residents of East Palestine Oh. after the fact of their preventable accident.

I am Robert Dumbovich, living at [1096 Michaela Circle Clarksville Tn. 37043](#)

Thank you for your consideration.

----- Forwarded Message -----

From: yaga52 <yaga52@yahoo.com>

To: "yaga52@yahoo.com" <yaga52@yahoo.com>

Sent: Tuesday, June 27, 2023, 10:53:24 PM CDT

Subject: Ah

Floodplain

Sent via the Samsung Galaxy A52 5G an AT&T 5G smartphone

5 attachments



20230516_190051.jpg
4318K



20230516_190037.jpg
5069K



20230516_190008.jpg
5108K



20230516_185944.jpg
5251K



20230516_185919.jpg
6103K



John Spainhoward <john.spainhoward@cityofclarksville.com>

Fwd: Against Rezoning of Property

1 message

Angela Latta <angela.latta@cityofclarksville.com>
 To: John Spainhoward <john.spainhoward@cityofclarksville.com>

**Angela D Latta**

Planning Tech

Clarksville Montgomery County Regional Planning Commission

Office: 931.645.7448

angela.latta@cityofclarksville.com

329 Main Street Clarksville, TN 37040

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----- Forwarded message -----

From: 'Karen Leonard' via GDL_web Planning Commission <rpc@cityofclarksville.com>
 Date: Sun, Jun 25, 2023 at 7:05 PM
 Subject: Against Rezoning of Property
 To: <rpc@cityofclarksville.com>

Regional Planning Commission:

I am writing on behalf of, **and my objection** to, the case of rezoning the District 19 property on the north frontage of Dunlop Lane, 2,800 +/- feet west of Dunlop Lane and Rollow Lane interse several negative impacts.

Negative Impact: Traffic and Impediment of Emergency Vehicles

With the growth of the apartment complex at Dunlop/Rollow Ln, traffic has increased significantly. Although the installation of the four-way stop does control traffic flow a little, it does not preve greatest concern is that the current configuration of Dunlop Lane restricts immediate access to the hospital. When accidents occur on Dunlop, and accidents have increased between Internal ingress and egress of emergency vehicles needing to reach the hospital.

Dunlop Lane cannot handle the additional traffic and traffic-related backups due to a rezoning.

Negative Impact: Increase in Crime

Families have moved from Nashville to Clarksville to get away from the increase in crime and crime-induced fatalities. Many moved to Clarksville for a less stressful way of life or because it a want to see Clarksville becoming a second Nashville with not only an increase in crime but more severe criminal activities? I certainly don't. Please do not sacrifice a relative safe place to live

Negative Impact: Flooding

A major concern is the flooding in the field. During any significant rain, I watch the water flow through several acres, and at times, the flow is rapid. It is like a flowing river with waves rather the significant water flow continues to cut a deeper ravine that runs across the back side of Michaela Circle. In addition to the ravine, several smaller ponds develop along the way, cumulating into

No one can control the weather or the flow of that "river." The industrial facilities may attempt to correct the flooding issue during their construction activities, but that would most likely redirect homes even more.

I have experienced living in an area where the city decided to let contractors build in a flood zone. Year after year these homes dealt with water issues that impacted foundations, crawl space: unhealthy mold growth. After years of homes being damaged, the city finally declared it an inhabitable flood zone, tore down all the houses, and turned the area into a park. Although I applaud nothing to alleviate the expenses and stress all those families endured for years, including devalued homes as many had to move. Many of those families, those voters, never recovered from

Negative Impact: Economic Overgrowth

Clarksville is a great place to live, close to Nashville but without all the traffic, congestion, and problems of a larger city. Having lived here for just three years, I have seen significant growth and becoming a large city. I have witnessed the demise of other cities, in other states, due to overgrowth that resulted in increased crime, traffic, and accidents. I moved to Clarksville to escape th to see Clarksville lose its appeal due to overgrowth.

Negative Impact: Fort Campbell Military Base

Working for a United States government contractor, I am aware of the locations where the government places their military bases. These locations tend to be more rural for a variety of reason availability of air space and land for training exercises, and reasonable housing for military families. Overgrowth of Clarksville could lead to military base relocation or shutdown. That could sig primary reasons families move here.

Negative Impact: Loss of Agriculture and Wildlife

6/26/23, 8:44 AM

City of Clarksville Mail - Fwd: Against Rezoning of Property

Although I understand how some economic growth is important to a city like Clarksville, please do underestimate the need to keep agriculture and natural spaces alive as well. I have seen corn fields using nature, including the flooding, to grow those crops. In addition, that area has attracted meadow birds, including swallows that assist with insect control, pollinators, frogs, and fireflies for overall balance and pollution control.

Summary:

Rezoning the designated area to industrial has direct and indirect impacts to emergency vehicles, traffic, accidents, crime, flooding, overgrowth, Fort Campbell, and wildlife. Clarksville has de facto facilities – keep those together for noise, traffic, and pollution control. Do not rezone this area, in the middle of well-established neighborhoods, to industrial. Please leave this area zoned for residential.

I request that you vote **against** the rezoning.

Sincerely,

Karen T. Leonard
[1068 Michaela Circle](#) (Beech Grove subdivision)
Clarksville, TN 37043



City
of
Clarksville

John Spainhoward <john.spainhoward@cityofclarksville.com>

Request for Rejection of proposal CZ-2-2023

1 message

David Van Akin <dvanakin1@gmail.com>

Mon, Jun 26, 2023 at 12:31 PM

To: rpc@cityofclarksville.com, john.spainhoward@cityofclarksville.com

Mr. Spainhoward and Reginal Planning Commission,

My name is David Van Akin. My wife, three children and I live at 1124 Michaela Circle in the Beech Grove Neighborhood. I am writing to you in regards to the upcoming meeting to discuss the possible rezoning of land behind my neighborhood. Case CZ-07-2023 from AG/R-4 to M-2 and I am asking that you reject the proposal to change the zoning of that area.

The zoning ordinance published in 2016 (Ord. No. 137-2021-22; 7-7-2022) 3.3.26 M-2 - GENERAL INDUSTRIAL DISTRICT defines the requirements for zoning an area as M-2 with the following caveat: "The M-2 General Industrial District is established to provide areas in which the principal use of the land is for manufacturing, and other heavy industrial uses that could possibly have an adverse effect on surrounding property. Such uses are not properly associated with nor compatible with residential, institutional, retail business, or light industrial uses. As such, these uses are intended to be confined to a specific location or area where their existence will not adversely affect surrounding uses." (Ord. No. 137-2021-22; 7-7-2022)

The rezoning of that tract of land would adversely impact the Beech Grove and Boyer Farms neighborhoods among other neighborhoods in close proximity. There are a multitude of studies published online of the effects of heavy industrial properties being built next to or in proximity of residential neighborhoods. One study reflected a decrease in value of property from \$400,000 to under \$150,000. To that effect, my family and other families have already been adversely impacted by the simple notice of this change. Due to my job, we recently tried to sell our house in May 2023, but were unable to do so and will have to try to sell again next year. We were unable to relocate and that is causing us hardship. During the time we had our house on the market, we had zero walkthroughs by prospective buyers. Two more houses in the neighborhood have also been put up for sale and at the time of this letter they are still available. In the April/May timeframe, the average was less than 10 days on the market in my neighborhood before going under contract. We tried to sell and our house was on the market for over 21 days (we were below the market average at \$182 per sqft.). There are two other houses in the neighborhood (18 days and 8 days on the market) at 181 and 193 per sq ft that are still active as of 23 June on Zillow. There is a house also bordering that area in another neighborhood at 30 days on Zillow and \$199 per sq ft. All signs of the rezoning impacting our value. If the council does vote for the rezoning, then the residents of Beech Grove should be offered to be bought out by the city/county and allowed to move.

Part of my job in Logistics deals directly with large equipment such as that required for heavy construction and industrial use. It is easy to see that Dunlop Road is not designed for heavy commercial use. The power lines along the road in combination to the structures (houses, some commercial property along the road limit the ability for proper expansion to allow regular movement of large equipment. Heavy industrial use requires access for 40ft Trailers with often overweight loads, sometimes rail, and other large modes of equipment transport. There are no shoulders or guard rails along the road for safety. There is also sufficient overhang along one side of the road.

Additionally, the power grid, infrastructure, and drainage of the area would have to be reworked. Also, as we increase the non-permeable paved areas water will collect and need to go somewhere. The area has a history of water collection on google maps the area is depicted as a lake. Regardless of any rework to the land, it is still a natural collection area for water. The soil is a heavy clay base that does not allow for water to quickly permeate into the soil. There are plenty of undeveloped areas to allow for industrial development along Industrial BLVD and other areas as you proceed north. This is evidence of the LG plant and others being built along Hwy 79 and are not directly adjacent to multiple housing areas. I would have similar concerns regarding emergency service support, we are supported by the county and how well the county can support with Police and Fire Department for additional industry such as that.

It should also be noted that the required sign for the rezoning notice is displayed in a way that does not properly inform the community of the change. It is small and weeds and foliage obscured the details of the sign preventing the public from being properly informed. The sign is displayed to be viewed from only one direction and there is no safe place for the community to park and better read the sign.

I also have concerns regarding light, noise, and other pollution. There is a Hankook plant on Industrial Blvd approximately 800 meters from the back of my house with farmland and woodland areas between us. That plant is small, but the noise and light pollution is still evident everyday and especially at night. We have the fortune during the summertime with foliage adding additional blockage but in the wintertime the noise and light is more pronounced. I must have blackout curtains on the back windows of my house to mitigate the light and sound. This new area would be directly next to my neighborhood with no wooded areas to buffer the sound and light which would adversely affect my family's quality of life and the value of our home. Based on the impacts of that plant I would ask that you consider the questions below if a heavy industrial company is allowed to build in this area:

- 1 – What are reasonable standards for maintaining minimal impact to the families living in Beech Grove and the surrounding area?
- 2 – How can you tell prior to actual construction whether the plant, when it is built and operating, will comply with the standards and minimize impact?
- 3 – Can you train and equip the ordinary building inspector to make the necessary and quite complex measurements used?
- 4 – How will you handle future violations by a plant that originally complied with all regulations?
- 5 – How will you handle existing uses that do not comply with new standards (uses nonconforming as to noise or smoke, etc.)?

Lastly, ZONING ORDINANCE CITY OF CLARKSVILLE, TENNESSEE Chapter 7 table 7.3 Buffer Yard Matrix, requires the densest buffer line between R2 and M2 zoned areas. There is no buffer of any kind between the properties. It would take years or decades for such a buffer to be installed and grow to sufficient density to meet those requirements. In the meantime, my family and other families in the neighborhood will be subject to the effects of construction and heavy industry.

Thank you for your time and consideration in this matter.

David and Amy Van Akin



**City
of
Clarksville**

John Spainhoward <john.spainhoward@cityofclarksville.com>

FW: Case Number CZ-7-2-23 (Beech Grove Clarksville Area) M2 Rezoning of 1601 Dunlap Lane

1 message

damsgm42@yahoo.com <damsgm42@yahoo.com>

Mon, Jun 26, 2023 at 11:41 AM

To: john.spainhoward@cityofclarksville.com, rpc@cityofclarksville.com

Cc: damsgm42@yahoo.com

RPC Committee,

Good day, my name is David A. McCracken my wife Helen and I live at [1065 Michaela Cir, Clarksville TN, 37043](#) in the Beech Grove HOA.

We recently bought our home and I have great concerns regarding the re-zoning. I recently retired from the government after 52 years of service and bought 1065 has our retirement home. My wife Helen and I flew in from Europe where we were stationed to actual see the home before we bought it at a great expense but with this being our retirement home it was worth it.

My concern is that either our realtor "William Keller" lied to us when we questioned them regarding the zoning of the area or the Zoning Committee of Clarksville lied to them, which one is it???

My issues with the rezoning is as follows:

1. Noise: We bought in this HOA because of the peacefulness and being close of enough the city but far enough away to have peace of mind and an area with not a lot of noise. With the rezoning we will have lost this aspect for which we bought.
2. Smell: Our area as is has a very nice country smell about it, nature. We do not wasn't to smell the smell of a commercial site around us.
3. Traffic: The road, Dunlap Ln which is used to enter our HOA is a very small two-lane road built as a famers road and was not designed for heavy traffic. Recently I had to pull off to the side of the road due to two large constructions trucks barrowing down the road.
4. Crime: Our neighborhood is peaceful with little or no crime. I can see that with the rezoning there is a high possibility for the crime rate to increase.
5. Property Value: We bought in Oct 21 and a very good price. We spent much of our saving to purchase this home knowing and expecting the value of our home to grow because of the desirable area which it was located. Aagin with the rezoning the value of our home will go down and not up. Will the city cover us for the value loss of our home?

If we had known about the rezoning concerns, we most likely would not have bought our retirement home here.

I JUST WANT TO KNOW WHO LIED TO WHOM and who is going to cover me for loss of value for our home. With the rezoning it is going to be almost impossible to sell our home and get a good price for it. Why would anyone want to build a commercial site / factory adjacent to high-value homes???

A very concerned Beech Grove resident!

David and Helen McCracken



**City
of
Clarksville**

John Spainhoward <john.spainhoward@cityofclarksville.com>

CZ-7-2023

1 message

Todd Irgens <Todd.Irgens@outlook.com>

Mon, Jun 26, 2023 at 10:59 AM

To: "rpc@cityofclarksville.com" <rpc@cityofclarksville.com>, "john.spainhoward@cityofclarksville.com"

<john.spainhoward@cityofclarksville.com>

Cc: "patti.irgens@outlook.com" <patti.irgens@outlook.com>

To whom it may concern:

My wife and I recently relocated to Clarksville. In April, we purchased a home at [1084 Michaela Circle](#) in Beech Grove subdivision. We love the home, as well as the neighborhood. The backyard was a selling point. One of the priorities we had in the home we would choose was getting to view nature and not looking out at a business. Looking out at an industrial facility with its steel and concrete, as well as the noise and smells associated with such is not conducive to any type of relaxation or peace. In fact, the view currently is beautiful. Looking out from our back yard, we are facing Eastward. To the North, an agricultural field leads to a view of a residential development. To the east, we look over this beautiful greenspace to see a new apartment complex, again residential. To the south of that field, and sitting just to the north side of Dunlop sits a residential home. To the South, a solid line of trees behind a steady flow of traffic along Dunlop that seems to never let up. Part of our decision to purchase the home was also based on us asking the question about that open field, as in our google search of the home and subdivision revealed what looked like a large lake directly behind our house. That lake wasn't there anymore, however, you could still see significant patches of wet ground out there showing a tendency to likely still flood with rains. We were told that they couldn't build back there because of that flooding.

Now, 2 months later, the City apparently wants to rezone this green space to industrial use. Right in the middle of residential zones that the commission approved. I am told the history of this subdivision was that this commission specifically allowed for Beech Grove to be built here. Now, you plan to surround this residential subdivision that you created with industrial? This will have several negative impacts, and it will significantly alter the essential character of the neighborhood.. First, it will drive down the value of the homes in Beech Grove, and in particular, the homes that abut Dunlop (increased noise and traffic) and those along the East and North sides of the subdivision with any number of pollutants, noise, dirt and dust, and a view now of unsightly industry. I know that we would not have bought our home had we known our view would soon be of industrial facilities. Second, it will certainly create even more traffic headaches (something that Clarksville has no shortage of already) along Dunlop. The quality of life of all residents of the Beech Grove subdivision will suffer. No more relaxing evenings sitting outside and observing the deer, birds and other wildlife that frequent this greenspace. With industry comes noise, smells, dust and dirt. Truck traffic belching out their diesel fumes. Heaven forbid that industry be food production-related, as that brings its own distinct issues of smell and potential pollutants. Particular areas of concern for everybody that lives in the immediate area would be things such as noise, smoke, odor, dust & dirt, potential for toxic gases, heat and glare, light intrusion, fire & safety, sewage, vibration, electromagnetic interference and potential for radioactive emissions. How is any of this consistent with any comprehensive plan for the area after you specifically designated Beech Grove residential status? Simple answer is, it is not. Rezoning a neighborhood from low density residential to industrial, when the neighborhood is surrounded by other residential uses is extremely inconsistent and for that reason alone, this should not be allowed.

Perhaps a better use of this property would be for a permanent green space, such as a park development. Maybe a space for community gardens. Unlike what is alleged in the application for rezoning, I do not look out my back porch area to see industrial sites all around me. All I can see is residential and agricultural... there is not an industry within view. That is because the commission has zoned this as such, and decisions made to purchase homes and at what value are made based upon this knowledge and the trust placed in zoning commissions such as yourselves. This

commission specifically zoned Beech Grove as a residential subdivision. To place industrial facilities in the middle of residential/agricultural zones should not be allowed.

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City
of
Clarksville

John Spainhoward <john.spainhoward@cityofclarksville.com>

Case cz-7-2023 . Floodwater and area affected by floodwater that has a history of accumulating on the property. Why we worry about drainage and containment with new structures capping the natural drainage. Potential property flood damage and possible water breaching buildings with stored industrial materials stored inside or outside.

1 message

Mary Dumbovich <mdumbovich@icloud.com>
To: rpc@ccityofclarksville.com
Cc: district19@mcgtn.net

Mon, Jun 26, 2023 at 7:02 PM

Sent from my iPad

9 attachments



IMG_1120.JPG
775K



IMG_1126.JPG
394K



IMG_1128.JPG
41K



IMG_1129.JPG
82K



IMG_1130.JPG
37K



IMG_1131.JPG
106K



IMG_1132.JPG
703K



IMG_1133.JPG
444K



IMG_1119.JPG
960K

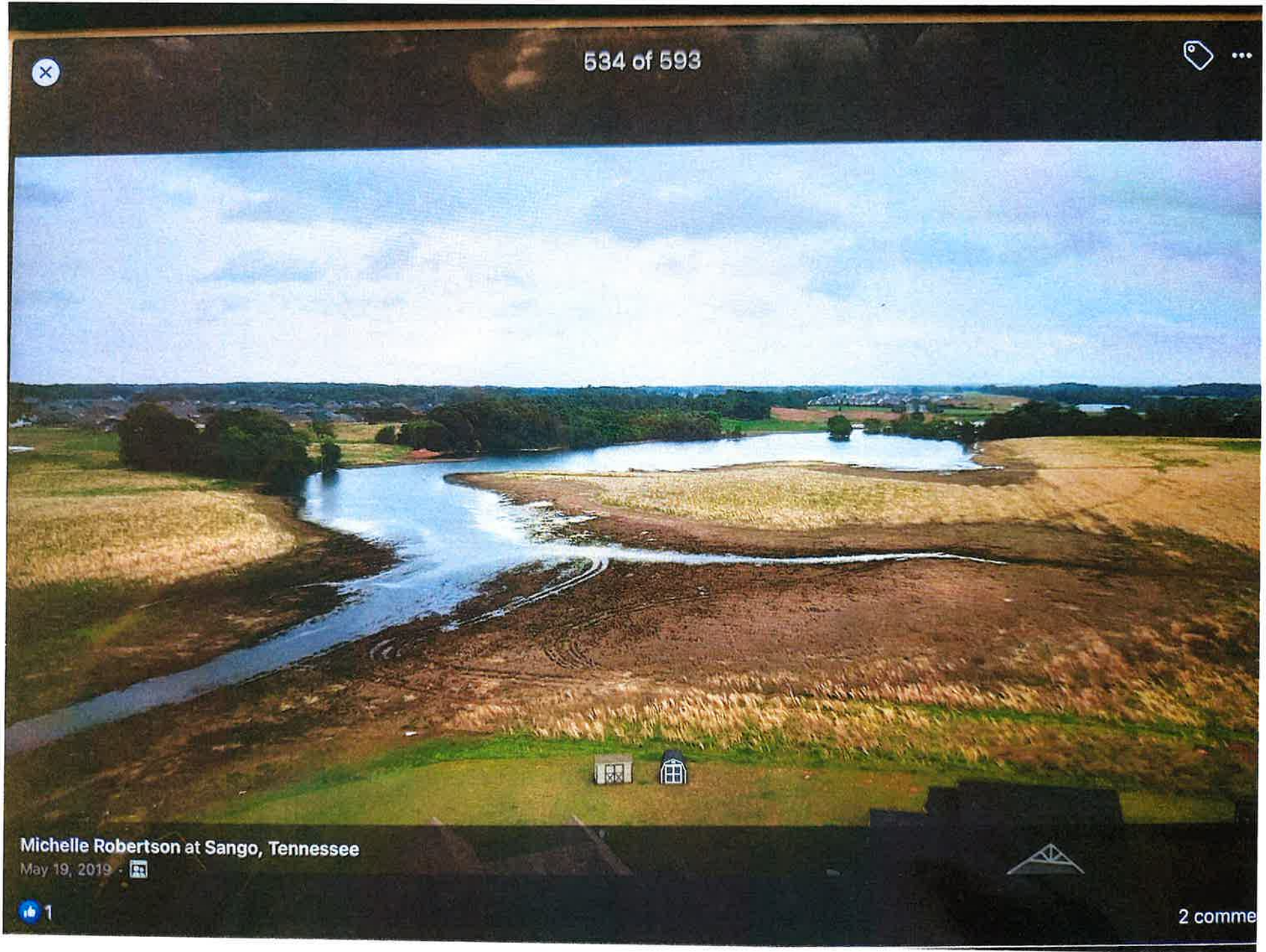
688 of 701



earcy







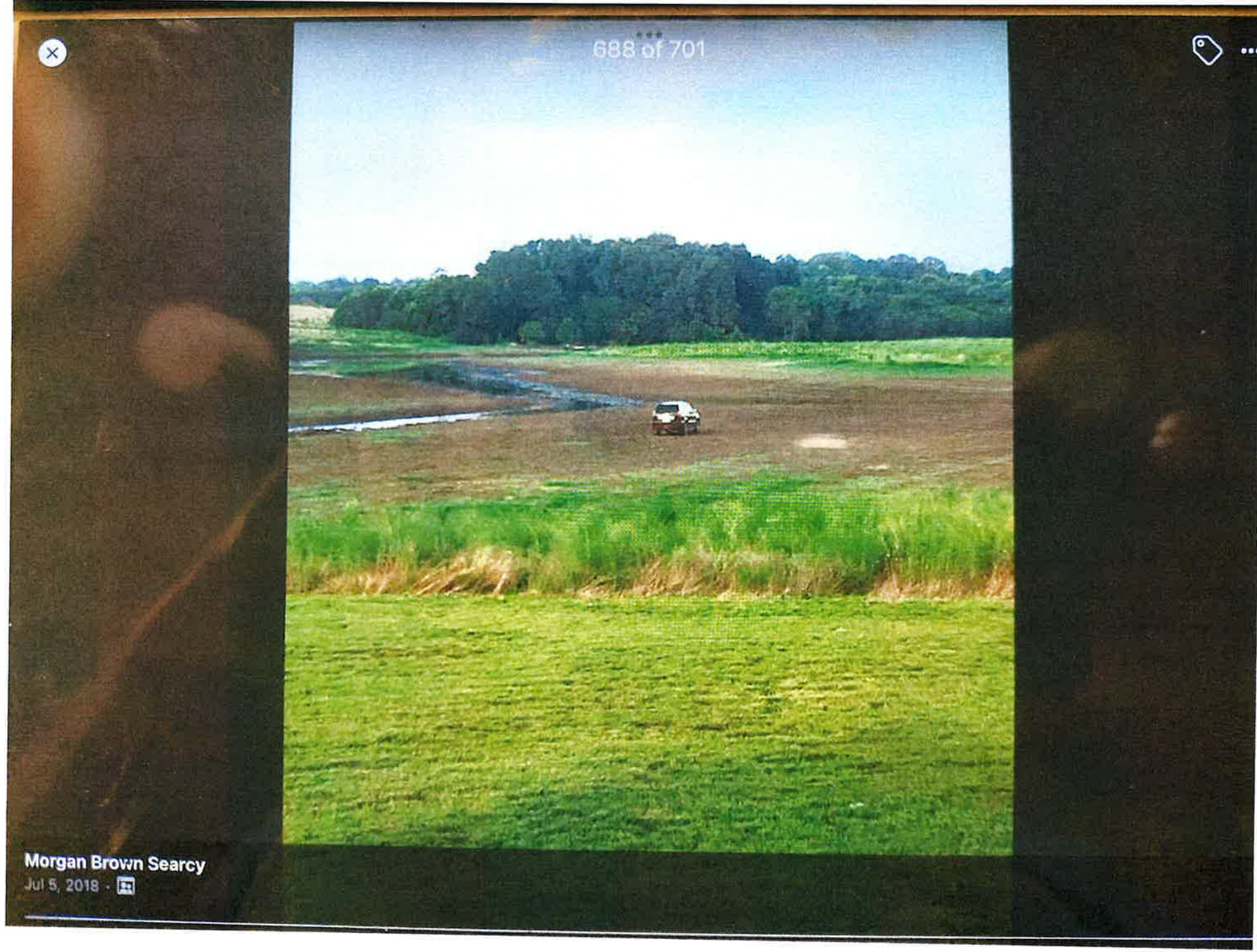
534 of 593

Michelle Robertson at Sango, Tennessee

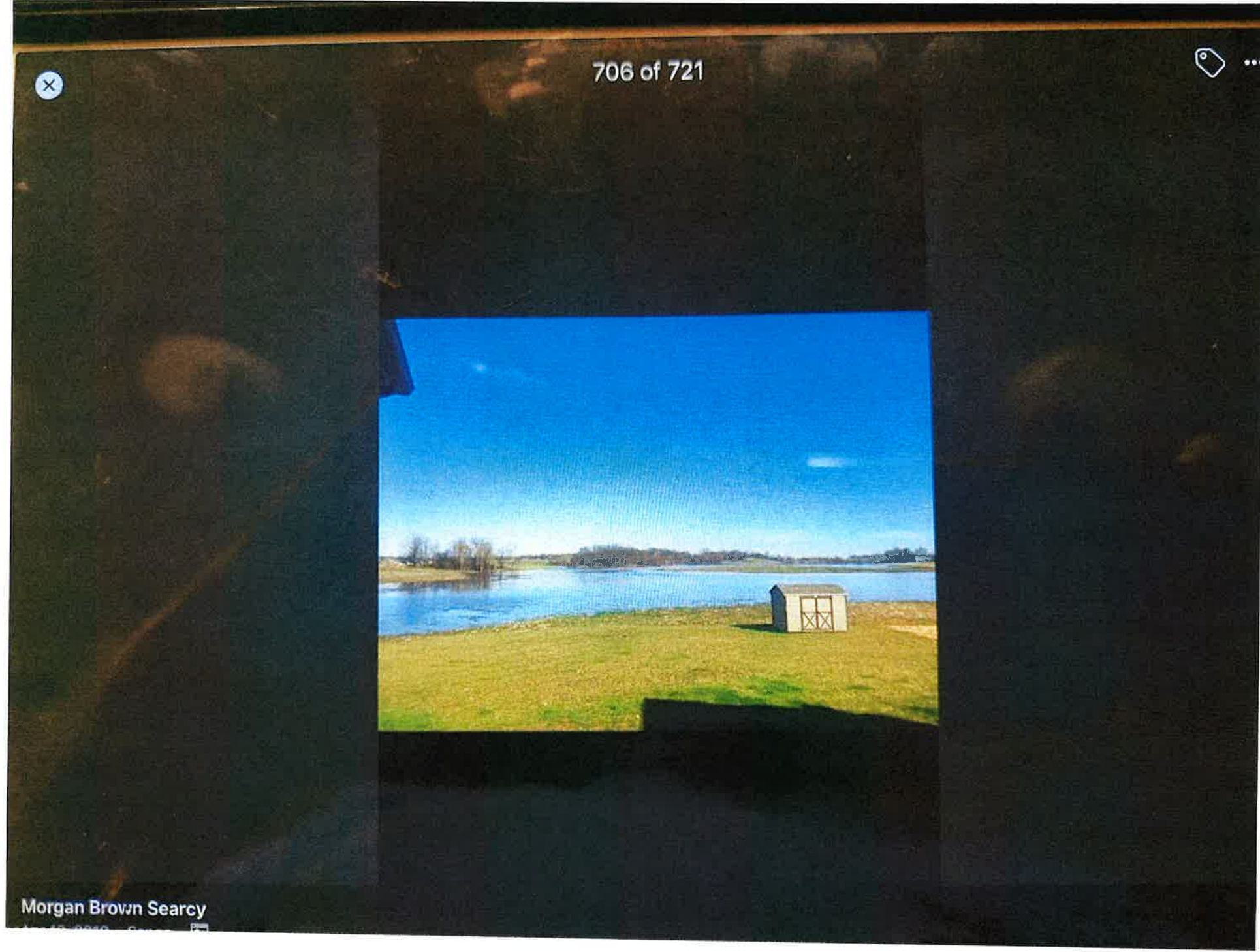
May 19, 2019 · 📷

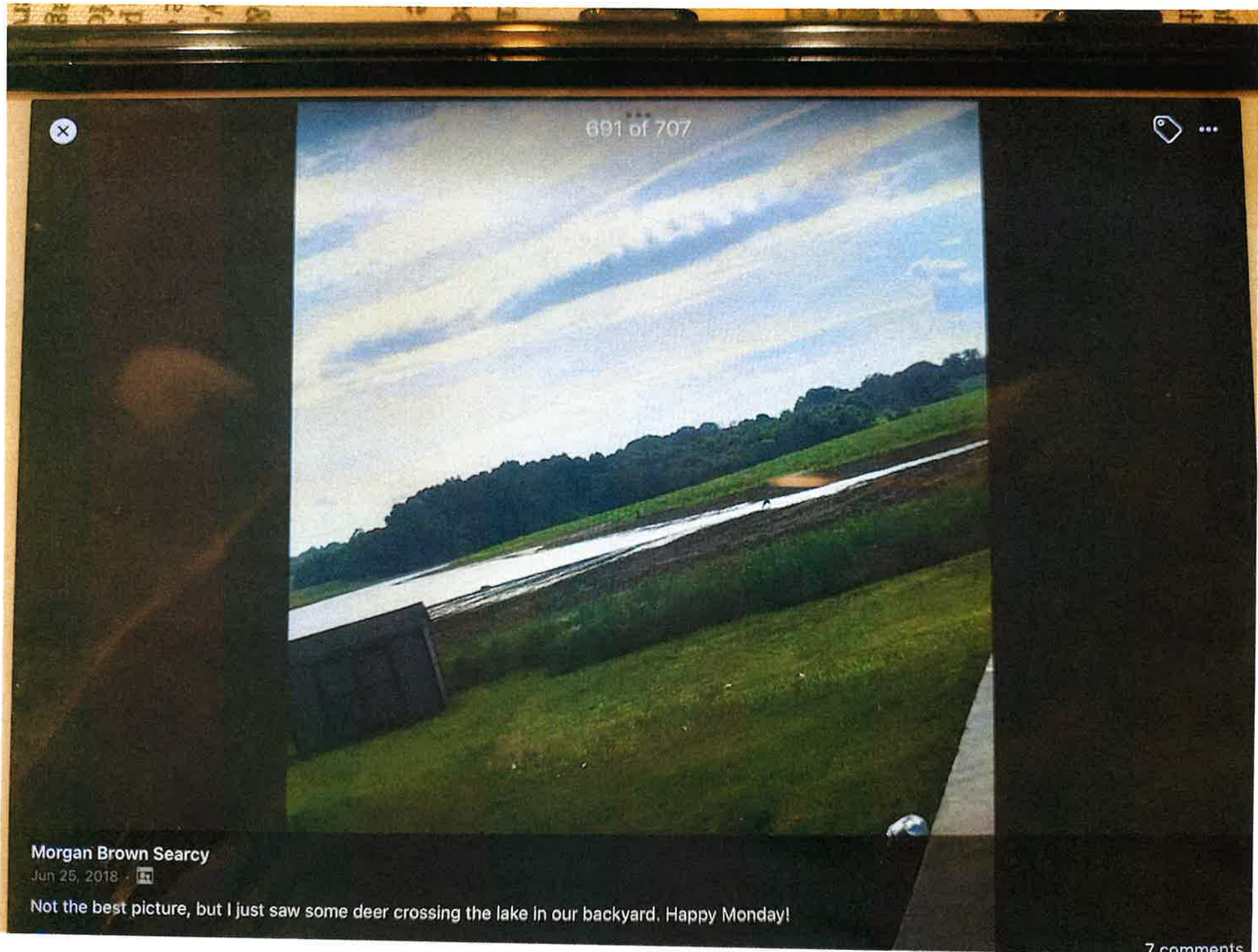
👍 1

2 comme









1w Like Reply



Achilles Solomos

Same here -this was within couple of minutes after it started raining...



1w Like Reply



Write a comment...

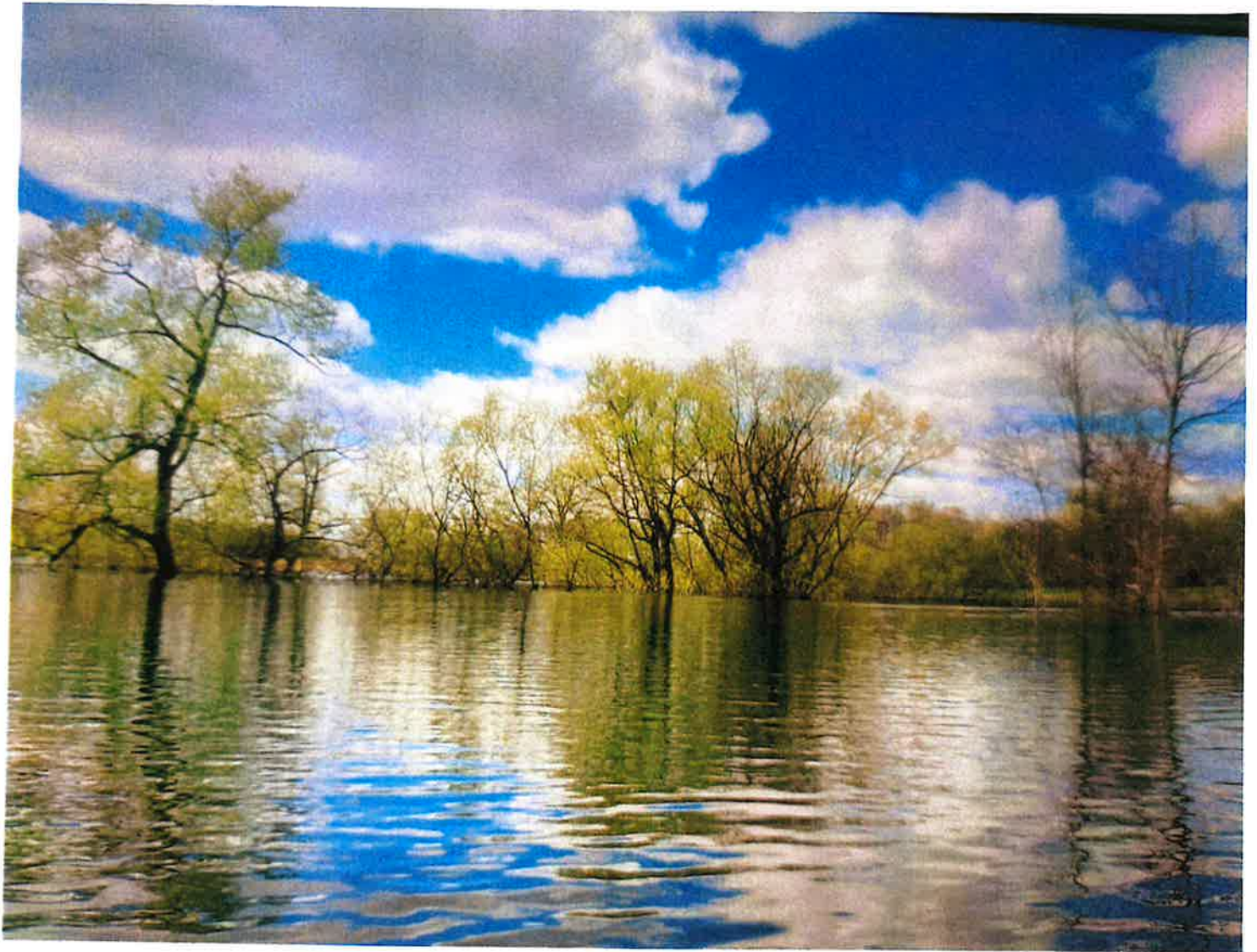


Jessica Malia

Jun 11 · 📷

Still holds water back here.

👍 🤔 Lisa Fatula and 6 others





----- Forwarded message -----

From: **lisa ives** <lmrives@gmail.com>
Date: Wed, May 24, 2023 at 7:52 AM
Subject: CZ-7-2023
To: <Jackey.Jones@cityofclarksville.com>
Cc: Brett Ives <sgtives@gmail.com>

Good morning. I am hoping you can be helpful in my understanding of contact you recently had with a neighbor of mine in reference to CZ-7-2023, Rob Dumbovich of Beech Grove. He provided a trove of pictures of flooding taken since 2017 of the property in question, by numerous past and present homeowners in Beech Grove. Are you infact asking for the time frame of all documentation? If so, I find any of that irrelevant due to the history of [1601 Dunlop Lane](#) which should already be of access to the RPC.

I have recently been in touch with Mr. Spainhoward verbally and in email. He helped me comprehend the predicament of the land that Beech Grove was zoned residential for. It would be absurd for any department to consider zoning CZ-7-2023 to M-2 based on my understanding. With that said, please reference an email from another neighbor, Robert Koewler of Beech Grove. He absolutely justifies argument against the Rezoning Request period.

Beech Grove would be immediately affected by a bad decision but so will the surrounding neighborhoods with home values of \$500k+ and the high rent in the new Reserves at Kirkwood.

I can only hope that the latest requested traffic study is enough to resolve further considerations. Road safety and property values should surmount every aspect in everything involved with CZ-7-2023.

Respectfully,

Lisa Marie Ives
[1088 Michaela Cir, Clarksville, TN 37043](#)

On Tue, May 23, 2023 at 6:41 PM Mary Dumbovich <dumbovichmary@gmail.com> wrote:

Jacky, I'm sorry that I wasn't able to respond earlier. The time of these pictures is Mar. 40,2020. There are more pictures of the potential , ground water and surface water that will have to be dealt with, with development of the property.

I have requested that those who have lived here longer than I have share their pictures with you for your and the commissions consideration.

I've been dealing with family health concerns , so I have just recommended that they contact you with relevant history pictures of the property. This hydrostatic history has been part of the property for years.

Again thank you for your stewardship of Clarksville , for it's residents. You have made Clarksville an amazing place to live.

Rob 1096 Michaela cr.

On Thu, May 18, 2023, 8:03 AM Jackey Jones <Jackey.Jones@cityofclarksville.com> wrote:

Good morning Mary,

A quick question, is there a time associated with these pictures?

Thank you,



Jackey Jones, *Administrative Specialist*

Clarksville Montgomery County Regional Planning Commission

Office: 931.645.7448

jackey.jones@cityofclarksville.com

329 Main Street Clarksville, TN 37040

cmcrpc.com

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On Wed, May 17, 2023 at 5:59 PM Mary Dumbovich <dumbovichmary@gmail.com> wrote:
Thank you!

On Wed, May 17, 2023, 11:58 AM Jackey Jones <Jackey.Jones@cityofclarksville.com> wrote:

You are most welcome. Yes, the pictures did in fact come through.



Jackey Jones, *Administrative Specialist*

Clarksville Montgomery County Regional Planning Commission

Office: 931.645.7448

jackey.jones@cityofclarksville.com

329 Main Street Clarksville, TN 37040

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On Wed, May 17, 2023 at 11:52 AM Mary Dumbovich <dumbovichmary@gmail.com> wrote:

Thank you for the update did the pictures come through? I had some problems with sending. Again thank you, If they didn't come through, my letter won't be effective and I will re send them.

Rob & Mary Lynn 1096 Michaela Circle.

On Wed, May 17, 2023, 8:44 AM Jackey Jones <Jackey.Jones@cityofclarksville.com> wrote:
Good morning Mary,

Your email has been received. We wanted to let you know this case has been deferred and there will be no public hearing this month. The case will be moved to the June 27th RPC meeting. If we can be of further assistance please let us know.

Thank you,



Jackey Jones, *Administrative Specialist*

Clarkville Montgomery County Regional Planning Commission

Office: 931.645.7448

jackey.jones@cityofclarksville.com

329 Main Street Clarksville, TN 37040

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On Tue, May 16, 2023 at 10:12 PM Mary Dumbovich <dumbovichmary@gmail.com> wrote:

On Tue, May 16, 2023, 10:08 PM Mary Dumbovich <dumbovichmary@gmail.com> wrote:

These pictures show how much surface water this property is exposed to. The entire property turns into a small lake.

My question to you is... if you could design and construct a drainage system with the compasity that could handle such acres of water in a efficient and timely manner for bussiness concerns , where would you drain all of this water?

The surrounding areas are already developed with residences , and they already have their own containment ponds that fill up.

Building service roads , parking lots and industrial structures on this land , will effectively be putting a cap over the land, preventing natural drainage. The excess undrained water will build up into a flood.

My second question to you is , where does this water flood to?

It naturally would render the industrial inoperative while waiting for the drainage system to function. It would also naturally take the path of least resistance, which would more than likely be down the service road and out the entrance on to Dunlop Ln. This would make Dunlop un drivable, that is if all of that rushing water doesn't wash away it's base. The water would eventually breach some buildings. If any contained industrial chemicals, they would contaminate the rest of the surface water. This would create a Hazardouw waist emergency.

There are other negative scenarios but my third question for you is , is this rezoning the best use for this property and is it really necessary to the well being of the residents and industry at large ?

There are other properly zoned areas for industry. Once the the companies located on the property get flooded out, they will relocate, leaving a perminate disaster for the residents to deal with.

If the water can not be contained by the drainage system it will also spill into the residences near by , causing property damage.

Question 3 . Where would affected residents go for resolution?

Since it will be on public record that that the Planning Commission had been made aware of these potential negative out comes and the hydrostatic history of the land, does rezoning open the City to liability in a class action law suit?

That of course would be for a court ro decide.

But , this can all be avoided with a solution that is already present. That would be to keep it as AG/R4 and let the crops growing on the land suck up the rain. The current makeshift drainage system is adequate . Water still ponds on the land but is manageable. It does drain slowly, taking a few days to weeks disperse. But the excess water would drain even slower if at all would industry cap off the property.

We moved her from Pittsburgh PA.in 2021. Clarksville is truely an amazing place to live. The reason for that , is your wise stewardship of the land .As a Planning Commision ,you decisions have made the lifestyle and living standards of the residents that you represent higher and better.

Thank you for your consideration. I hope you agree with my reasons for objecting to the zone change. Keep Clarksville the amazing place for all residents.

Rob&Mary Lynn Dumbovich

1096 Michaela Circle Clarksville.



City
of
Clarksville

John Spainhoward <john.spainhoward@cityofclarksville.com>

Re: Case Number CZ-7-2023

1 message

John Spainhoward <john.spainhoward@cityofclarksville.com>

Mon, May 22, 2023 at 8:12 AM

To: Michael Seis <spsc332@gmail.com>

Michael,

Your email has been received & will be placed in the case file of CZ-7-2023 as a matter of public record. Please be aware that the Public Hearing for CZ-7-2023 has been deferred to the June 27th RPC meeting at 2PM.

Regards,
JTS

On Sat, May 20, 2023 at 9:48 AM Michael Seis <spsc332@gmail.com> wrote:

Greetings, my name is Mike Seis. I am emailing you about my concerns with the above case number. I live in Hartley Hills at 482 Archie Court and am against rezoning for industrial buildings. Obviously, google earth is a little outdated, but you can see that adding anything to the area other than more residential homes has the potential to cause issues with water runoff and other health and safety issues. I would like planning to consider incentives for residential builders before changing the land zoning for industrial buildings. I just wanted to voice my concerns.

Thank you,

Mike Seis
931-801-6805





John Spainhoward <john.spainhoward@cityofclarksville.com>

Case Number: CZ-7-2023

1 message

Brett Ives <sgtives@gmail.com>

Mon, May 15, 2023 at 9:04 AM

To: rpc@cityofclarksville.com

Cc: john.spainhoward@cityofclarksville.com, Lisa Marie Ives <lmrives@gmail.com>

Ladies and Gentlemen of the Board:

I am writing in response to the letter received at our address from the Planning Commission regarding the proposed rezoning of AG agriculture (100 year flood zone) property to M-2 industrial.

The notice incorrectly states that the proposed property to be rezoned will "have M-2 zoning on all 4 sides..." Three of the 4 sides are in fact residential, including both single family homes and recent or newly constructed multi-family units.

Furthermore, the area is markedly increasing in traffic volume, and Dunlop Lane poses a danger with the hills along the section of this proposed zone change. Also, the recently released plans for increased business and residential construction near exit 8 on Rossvie Rd will increase the traffic within the area.

I understand the land owners desire to profit from selling the property, but we hope the commission will reconsider this proposed rezoning given the proximity to residential zones and numerous hazard producing industry presently within the area.

Infrastructure and emergency services are lacking in the area as well. For example, the volunteer fire service that covers the very large area has had subpar response times in the past.

We hope you will reconsider this and any future rezoning requests for the parcel in the CZ-7-2023 application, due to the recent substantial growth of residence and industry construction in the vicinity.

I believe there were previous attempts to rezone the property to residential, but flooding on the property prevents anything except farming and firearms target practice, from what we've seen.

Thank you for your time and consideration of those opposed to this proposal.

Sincerely,

Brett D. Ives
[1088 Michaela Cir.](#)
[Clarksville, TN 37043](#)
Beech Grove Neighborhood



John Spainhoward <john.spainhoward@cityofclarksville.com>

Fwd: Case Number CZ-7-2023

1 message

Angela Latta <angela.latta@cityofclarksville.com>
 To: John Spainhoward <john.spainhoward@cityofclarksville.com>

**Angela D Latta***Planning Tech**Clarksville Montgomery County Regional Planning Commission***Office:** 931.645.7448angela.latta@cityofclarksville.com

329 Main Street Clarksville, TN 37040

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----- Forwarded message -----

From: **lisa ives** <lmrives@gmail.com>
 Date: Mon, May 15, 2023 at 8:57 AM
 Subject: Case Number CZ-7-2023
 To: <rpc@cityofclarksville.com>

I am responding to the application notice I received for rezoning, Case Number CZ-7-2023.

I am against the consideration of this rezoning request by the RPC with a passion on behalf of the protection of my property as well, the numerous other homeowners who have value of more than \$500K in the immediate area. It will be absolutely incautious to rezone this parcel to a General Industry District.

Dunlop Lane is not established to incorporate industry within a zoned residential area. The map indicated for the parcel is inaccurate and outdated. The immediate location of the subdivision Beech Grove and the surrounding subdivisions of Hickory Wild, Boyer Farms and Hartley Hills prove there are not in fact M-2 zoned properties on all four sides as stated in the reason for request on behalf of the 1601 Dunlop Lane property owner.

With the addition of apartments added to Dunlop Lane and continued increase of development on Rollow Lane, Rossvie Road and Kirkwood Road, it has proven this roadway to be exponentially busier and unsafe. Let alone the adequacy of the water main on each side of the narrow country road.

I understand that this mailed notice was not received by all immediately surrounding property owners, nor is the post on the property absolutely conveniently visible. Many property owners are already disappointed by the decisions of recent rezoning to Industry in very close proximity, to have the want to share their argument against this consideration of CZ-7-2023 unfortunately, feeling that the RPC doesn't actually take the best interest of the prospering residential area into consideration at all.

Thank you for your attention.

5/15/23, 9:17 AM

City of Clarksville Mail - Fwd: Case Number CZ-7-2023

Lisa Marie Ives
[1088 Michaela Circle](#)
Clarksville, TN 37043



**City
of
Clarksville**

John Spainhoward <john.spainhoward@cityofclarksville.com>

Re: Case Number CZ-7-2023

1 message

John Spainhoward <john.spainhoward@cityofclarksville.com>

Mon, May 15, 2023 at 9:33 AM

To: lisa ives <lmrives@gmail.com>

Cc: Jeffrey Tyndall <jeffrey.tyndall@cityofclarksville.com>

Lisa,

Good morning & thank you for your email. Our phone records indicate that I received a voicemail from you on 5/9/2023 @ 3:32 PM while I was out of the office & my return call went unanswered at 5/10/2023 @ 12:39 PM. I will attempt to call you again after sending this email. Please be aware that your email has been received and will be placed in the file as a matter of public record.

Regards,
JTS

On Mon, May 15, 2023 at 9:14 AM lisa ives <lmrives@gmail.com> wrote:

I am responding to the application notice I received for rezoning, Case Number CZ-7-2023, the day after I left a personal voice mail message for you without response.

I am against the consideration of this rezoning request by the RPC with a passion on behalf of the protection of my property as well, the numerous other homeowners who have value of more than \$500K in the immediate area. It will be absolutely incautious to rezone this parcel to a General Industry District.

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Thank you for your attention.

Lisa Marie Ives
1088 Michaela Circle
Clarksville, TN 37043



John T. Spainhoward, Jr. *Deputy Director of Planning*

Clarksville Montgomery County Regional Planning Commission

931.645.7448 john.spainhoward@cityofclarksville.com

329 Main Street Clarksville, TN 37040

cmcrpc.com



**City
of
Clarksville**

John Spainhower <john.spainhower@cityofclarksville.com>

Fwd: Case Cz-7-2023. Zone AG/R4 to M2.

1 message

Jackey Jones <Jackey.Jones@cityofclarksville.com>

Wed, May 17, 2023 at 8:32 AM

To: John Spainhower <john.spainhower@cityofclarksville.com>



Jackey Jones, *Administrative Specialist*

Clarkville Montgomery County Regional Planning Commission

Office: 931.645.7448

jackey.jones@cityofclarksville.com

329 Main Street Clarksville, TN 37040

cmcrpc.com

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----- Forwarded message -----

From: **Mary Dumbovich** <dumbovichmary@gmail.com>

Date: Tue, May 16, 2023 at 10:12 PM

Subject: Re: Case Cz-7-2023. Zone AG/R4 to M2.

To: <johnspainhoward@cityofclarksville.com>, <rpc@cityofclarksville.com>

On Tue, May 16, 2023, 10:08 PM Mary Dumbovich <dumbovichmary@gmail.com> wrote:

These pictures show how much surface water this property is exposed to. The entire property turns into a small lake.

My question to you is... if you could design and construct a drainage system with the capacity that could handle such acres of water in a efficient and timely manner for business concerns, where would you drain all of this water?

The surrounding areas are already developed with residences, and they already have their own containment ponds that fill up.

Building service roads, parking lots and industrial structures on this land, will effectively be putting a cap over the land, preventing natural drainage. The excess undrained water will build up into a flood.

My second question to you is, where does this water flood to?

It naturally would render the industrial inoperative while waiting for the drainage system to function. It would also naturally take the path of least resistance, which would more than likely be down the service road and out the entrance on to Dunlop Ln. This would make Dunlop un drivable, that is if all of that rushing water doesn't wash away it's base. The water would eventually breach some buildings. If any contained industrial chemicals, they would contaminate the rest of the surface water. This would create a Hazardous waste emergency.

There are other negative scenarios but my third question for you is, is this rezoning the best use for this property and is it really necessary to the well being of the residents and industry at large?

There are other properly zoned areas for industry. Once the companies located on the property get flooded out, they will relocate, leaving a permanent disaster for the residents to deal with.

If the water can not be contained by the drainage system it will also spill into the residences near by, causing property damage.

Question 3. Where would affected residents go for resolution?

Since it will be on public record that the Planning Commission had been made aware of these potential negative outcomes and the hydrostatic history of the land, does rezoning open the City to liability in a class action law suit?

That of course would be for a court to decide.

But, this can all be avoided with a solution that is already present. That would be to keep it as AG/R4 and let the crops growing on the land suck up the rain. The current makeshift drainage system is adequate. Water still ponds on the land but is manageable. It does drain slowly, taking a few days to weeks to disperse. But the excess water would drain even slower if at all would industry cap off the property.

We moved here from Pittsburgh PA. in 2021. Clarksville is truly an amazing place to live. The reason for that, is your wise stewardship of the land. As a Planning Commission, your decisions have made the lifestyle and living standards of the residents that you represent higher and better.

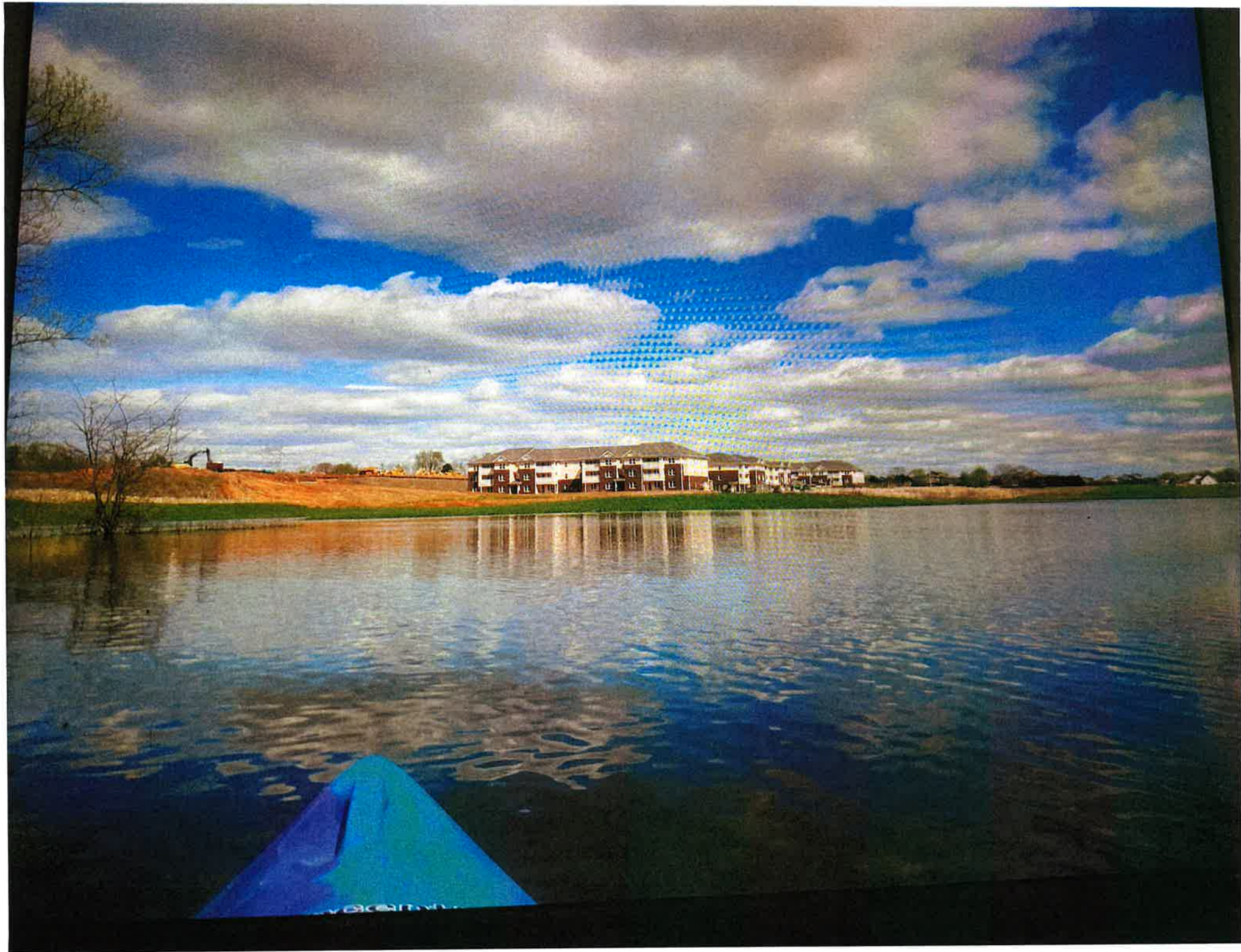
Thank you for your consideration. I hope you agree with my reasons for objecting to the zone change.

Keep Clarksville the amazing place for all residents.

Rob & Mary Lynn Dumbovich

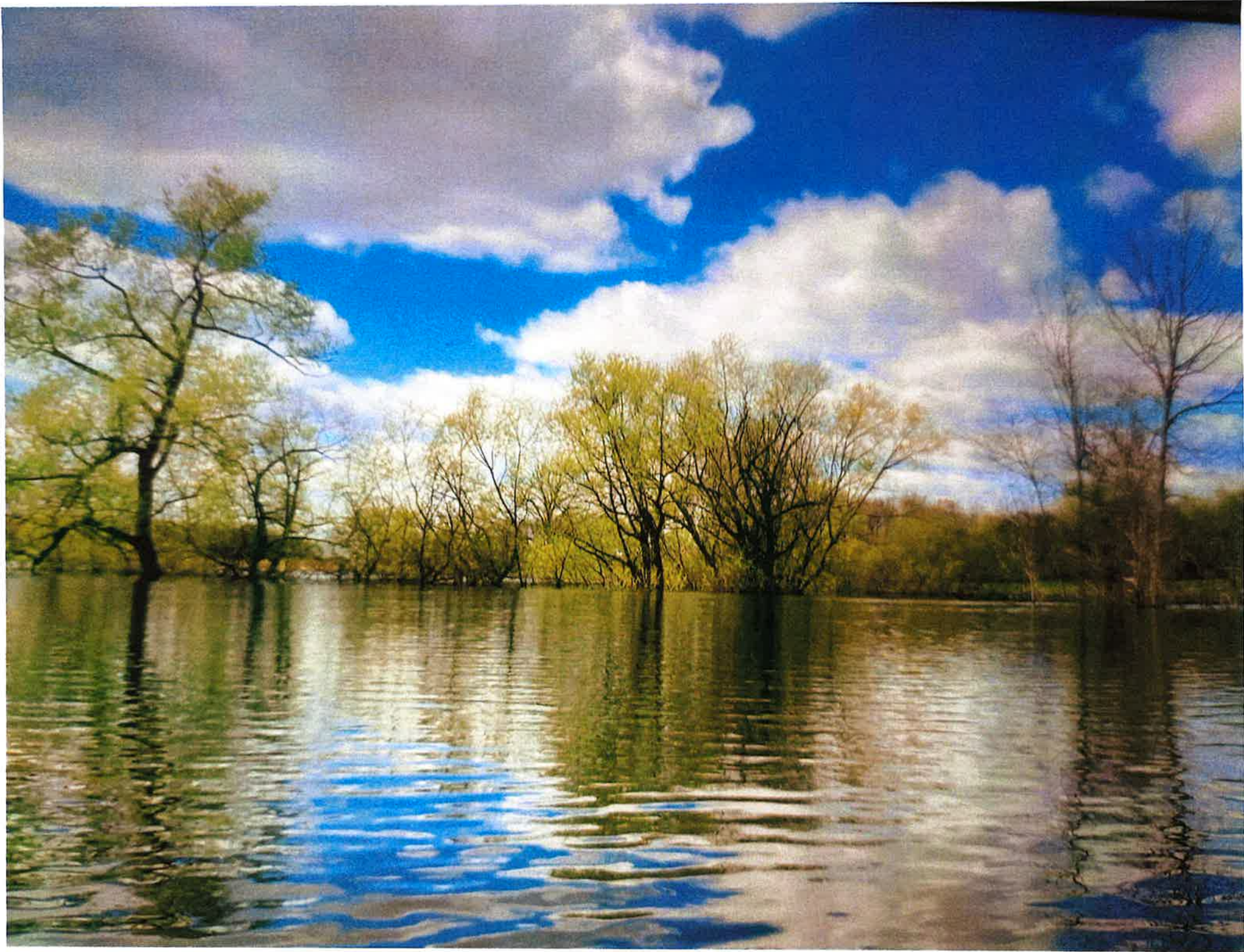
1096 Michaela Circle Clarksville.

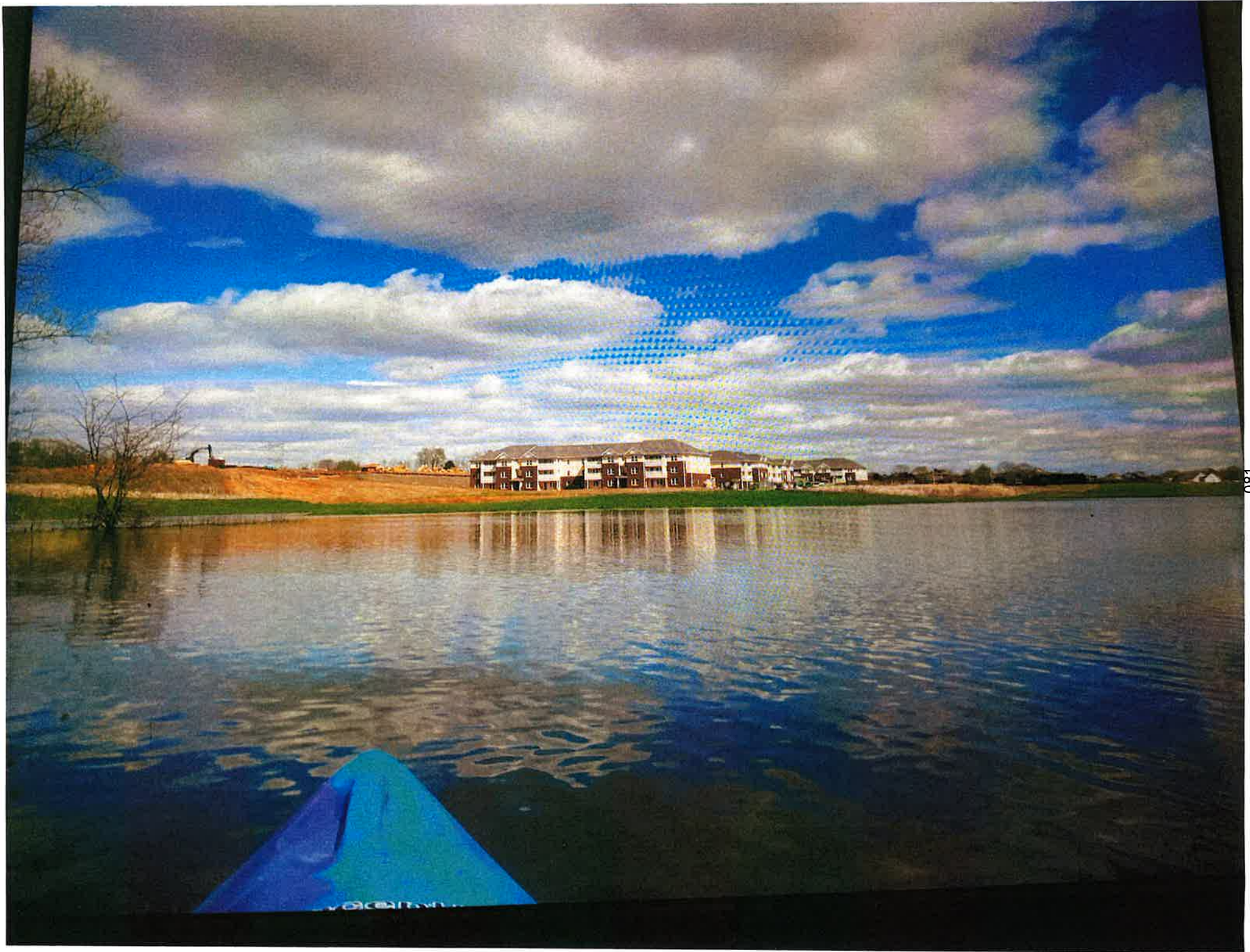












**RESOLUTION OF THE MONTGOMERY COUNTY BOARD OF
COMMISSIONERS
AMENDING THE ZONE CLASSIFICATION OF THE PROPERTY OF
REDA HOME BUILDERS INC.**

WHEREAS, an application for a zone change from R-3 Three Family Residential District to C-2 General Commercial District has been submitted by Reda Home Builders Inc. and

WHEREAS, said property is identified as County Tax Map 044, parcel 016.02, containing 0.9 +/- acres, situated in Civil District 13, located A parcel fronting on the north frontage of Lafayette Rd., 305 +/- feet east of the Lafayette Rd. & Walnut Grove Rd. intersection; and




WHEREAS, said property is described as follows:

Beginning at a new iron pin in the north margin of LayFayette Road, said pin being located North 42 Degrees 00 Minutes 03 Seconds East 524.92 feet from the centerline intersection of Walnut Grove Road and Layfayette Road; thence along said margin on a curve turning to the left with an arc length of 15.52'. with a radius of 1650.26', with a chord bearing of South 54 Degrees 29 Minutes 30 Seconds West. with a chord length of 15.52' to a new iron pin; thence leaving the margin of Layfayette Road along the Jones property (recorded in Volume 358, page 793) North 29 Degrees 31 Minutes 37 Seconds West 45.39 feet to an old iron pin; thence South 66 Degrees 50 Minutes 17 Seconds West 173.68 feet LO an old iron pin; thence South 23 Degrees 09 Minutes 43 Seconds East 95.83 feet to a new iron pin in the north margin of Lafayette Road; thence along said margin on a curve turning to the left with an arc length of 25.34'. with a radius of 1650.26', with a chord bearing of South 47 Degrees 19 Minutes 45 Seconds West. with a chord length of 25.34' to a new iron pin. thence leaving the margin of Layfayette Road along the Melvin Cheek and Shelia Creek properties North 21 Degrees 02 minutes 08 Seconds West 269.16 feet to an old iron pin; thence along the Larry Cheek property (recorded in Volume 621. page 223) North 68 Degrees 57 Minutes 52 Seconds East 236.18 feet to an old iron pin; thence along the Nolan property (recorded in Volume 358, page 482) South 15 Degrees 01 Minutes 50 Seconds East 199.72 feet to the point of beginning containing an area of 0.91 acres.

WHEREAS, the Planning Commission staff recommends DISAPPROVAL and the Regional Planning Commission recommends DISAPPROVAL of said application.

NOW, THEREFORE, BE IT RESOLVED by the Montgomery County Board of County Commissioners assembled in regular session on this 11th day of September, 2023, that the zone classification of the property of Reda Home Builders Inc. from R-3to C-2 is hereby approved.

Duly passed and approved this 11h day of September, 2023.

Sponsor		<u>Jeff Tyndall</u>
Commissioner		<u>John Hannon</u>
Approved		<u>County Mayor</u>

Attested: _____
County Clerk

CLARKSVILLE-MONTGOMERY COUNTY REGIONAL PLANNING

STAFF REVIEW - ZONING

RPC MEETING DATE: 08/29/2023

CASE NUMBER: CZ - 13 -2023

NAME OF APPLICANT:Reda Home Builders

AGENT:

GENERAL INFORMATION

TAX PLAT: 044

PARCEL(S): 016.02

ACREAGE TO BE REZONED: 0.9 +/-

PRESENT ZONING: R-3

PROPOSED ZONING: C-2

**EXTENSION OF ZONING
CLASSIFICATION:** YES

PROPERTY LOCATION: A parcel fronting on the north frontage of Lafayette Rd., 305 +/- feet east of the Lafayette Rd. & Walnut Grove Rd. intersection.

CITY COUNCIL WARD: **COUNTY COMMISSION DISTRICT:** 11 **CIVIL DISTRICT:** 3

DESCRIPTION OF PROPERTY: A wooded tract with mild topography.

**APPLICANT'S STATEMENT
FOR PROPOSED USE:** To match surrounding zonings.

GROWTH PLAN AREA: RA **PLANNING AREA:** Lafayette

PREVIOUS ZONING HISTORY:

CLARKSVILLE-MONTGOMERY COUNTY REGIONAL PLANNING

STAFF REVIEW - ZONING

DEPARTMENT COMMENTS

cz 13 2023

- ☐ FIRE DEPARTMENT
☒ EMERGENCY MANAGEMENT
☒ SHERIFFS DEPT.

- ☐ DIV. OF GROUND WATER
☐ HOUSING AUTHORITY
☐ COMMON DESIGN REVIEW BOARD
☒ GAS & WATER DEPT. (DIGITAL ONLY)
☐ CUMBERLAND HTS U/D (DIGITAL ONLY)
☐ CUNNINGHAM U/D (DIGITAL ONLY)
☐ EAST MONT. U/D (DIGITAL ONLY)

- ☐ WOODLAWN U/D (DIGITAL ONLY)
☐ CITY STREET DEPT. (DIGITAL ONLY)
☒ COUNTY HWY. DEPT. (DIGITAL ONLY)
☒ CEMC (DIGITAL ONLY)
☐ CDE (DIGITAL ONLY)
☐ ATT (DIGITAL ONLY)
☐ POLICE DEPT. (DIGITAL ONLY)
☐ CITY BLDG DEPT. (DIGITAL ONLY)
☒ COUNTY BLDG DEPT. (DIGITAL ONLY)
☐ SCHOOL SYSTEM OPS. (DIGITAL ONLY)

- ☒ FT. CAMPBELL (DIGITAL ONLY)
☐ IND. DEV. BD. (DIGITAL ONLY)
☐ CHARTER (DIGITAL ONLY)

☐ OTHER

1. CITY ENGINEER/UTILITY DISTRICT:

No sewer available.

**2. STREET DEPARTMENT/
COUNTY HIGHWAY DEPARTMENT:**

Why is R-3 being surrounded by C-2.

3. DRAINAGE COMMENTS:

Department responded. No concerns listed.

4. CDE/CEMC:

No Comment(s) Received

5. FIRE DEPT/EMERGENCY MGT.:

Department responded. No concerns listed.

6. POLICE DEPT/SHERIFF'S OFFICE:

No Comment(s) Received

**7. CITY BUILDING DEPARTMENT/
COUNTY BUILDING DEPARTMENT:**

No Comment(s) Received

8. SCHOOL SYSTEM:

ELEMENTARY:

MIDDLE SCHOOL:

HIGH SCHOOL:

9. FT. CAMPBELL:

10. OTHER COMMENTS:

CLARKSVILLE-MONTGOMERY COUNTY REGIONAL PLANNING
STAFF REVIEW - ZONING

PLANNING STAFF'S STUDY AND RECOMMENDATION

cz 13 2023

IMPACT OF PROPOSED USE ON SURROUNDING DEVELOPMENT: Increased traffic, light & noise.

INFRASTRUCTURE:

WATER SOURCE: CITY

SEWER SOURCE:

STREET/ROAD ACCESSIBILITY: Lafayette

DRAINAGE COMMENTS:

RESIDENTIAL DEVELOPMENT

APPLICANT'S ESTIMATES HISTORICAL ESTIMATES

LOTS/UNITS:

POPULATION:

APPLICABLE LAND USE PLAN

Lafayette Planning Area- This area experienced considerable residential growth in the decade of the 90's. There is room for expansion along the SR 374 corridor.

STAFF RECOMMENDATION: **DISAPPROVAL**

1. The proposed zoning request is inconsistent with the adopted Land Use Plan.
2. The unique lot arrangement does not lend itself to a commercial zoning classification, as the property/request wraps around an established residential use.
3. Adequate infrastructure serves the site & no adverse environmental issues were identified relative to this request.
- 4.
- 5.



CZ-13-2023

APPLICANT:

REDA HOME BUILDERS,
INC

REQUEST:

R-3
TO
C-2

MAP & PARCEL

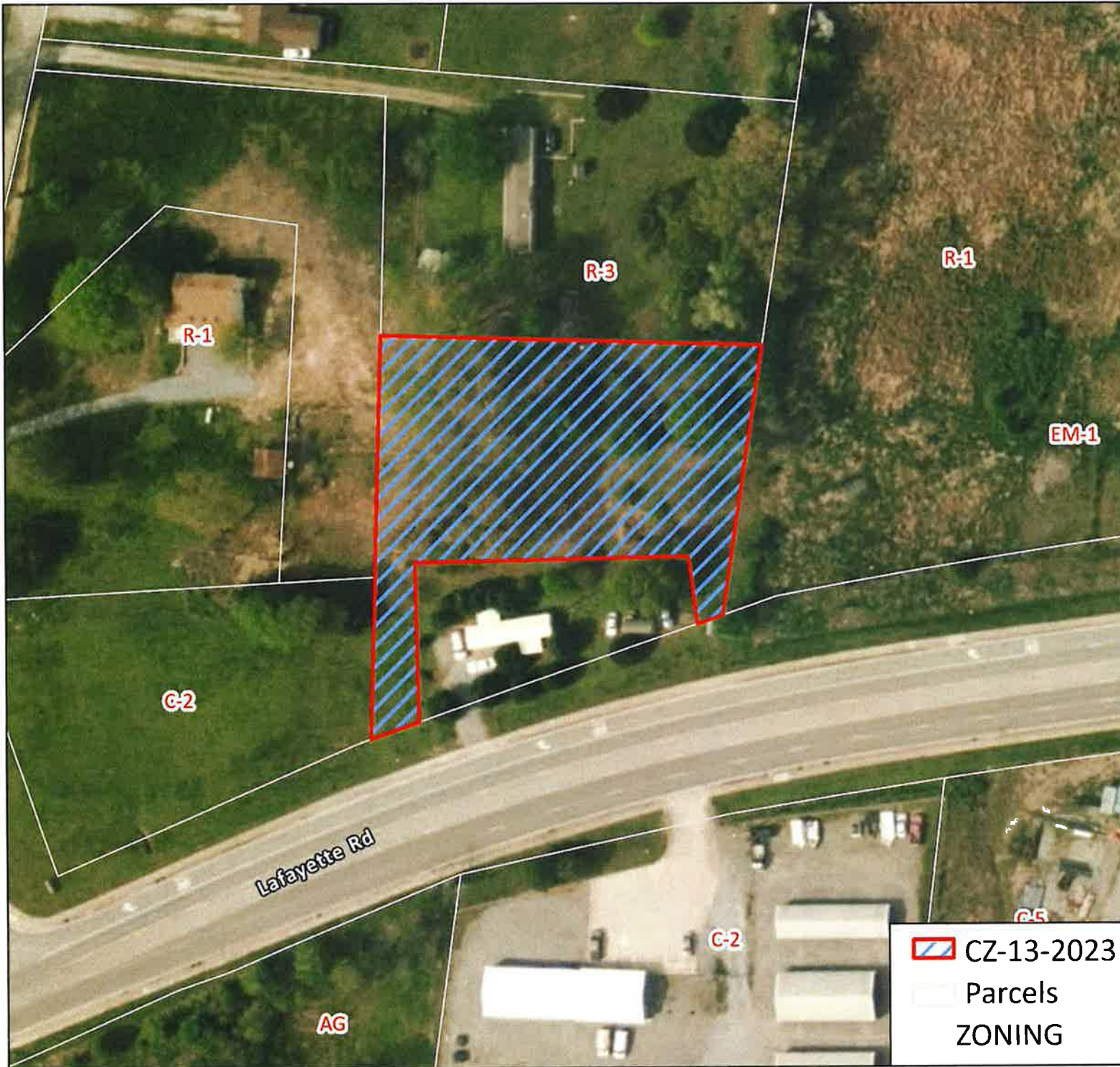
044 01602

ACRES +/-
0.9

Scale: 1:5,000



8/29/2023



CZ-13-2023

APPLICANT:

REDA HOME BUILDERS,
INC

REQUEST:

**R-3
TO
C-2**

MAP & PARCEL

044 01602


ACRES +/-
0.9


Scale: 1:1,000

0 40 80
Feet

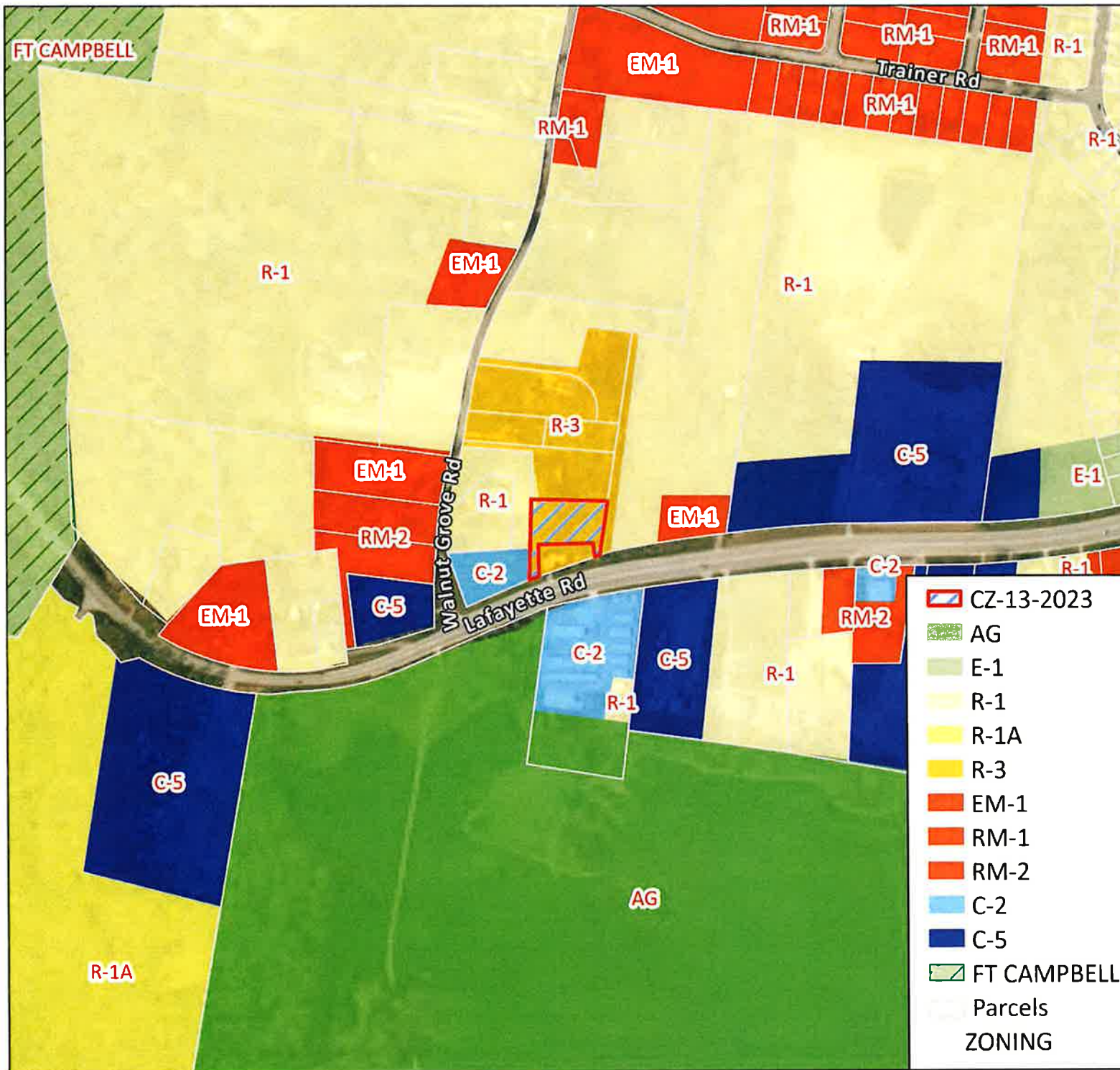
8/29/2023



 CZ-13-2023

 Parcels

ZONING



CZ-13-2023

APPLICANT:

REDA HOME BUILDERS,
INC

REQUEST:

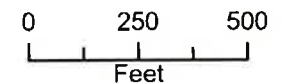
**R-3
TO
C-2**

MAP & PARCEL

044 01602

ACRES +/-
0.9

Scale: 1:5,000



8/29/2023

CASE NUMBER: CZ 13 2023 **MEETING DATE** 08/29/2023

APPLICANT: Reda Home Builders Inc.

PRESENT ZONING R-3

PROPOSED ZONING C-2

TAX PLAT # 044

PARCEL 016.02

GEN. LOCATION A parcel fronting on the north frontage of Lafayette Rd., 305 +/- feet east of the Lafayette Rd. & Walnut Grove Rd. intersection.

PUBLIC COMMENTS

DISCLAIMER: The items provided in this section have been included as part of the public comment process. The CMCRPC cannot provide assurances to the validity of these items, to include emails, comments, photos, site plans, design details, etc. as they have not been reviewed for the purposes of accuracy and/or regulatory compliance. It is further noted that Site Plans, Subdivision Plans, Design Details, etc. that are submitted as part of this section are non-binding & may be altered prior to seeking CMCRPC approval, with the exception of PUD, MXU-PUD & MLUD Districts.

None received as of 4:30 P.M. on 8/28/2023 (A.L.)

**RESOLUTION OF THE MONTGOMERY COUNTY BOARD OF
COMMISSIONERS
AMENDING THE ZONE CLASSIFICATION OF THE PROPERTY OF
DANNY YARBROUGH**

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

WHEREAS, said property is identified as County Tax Map 133, parcel 013.00(p/o), containing 24.4 +/- acres, situated in Civil District 13, located A tract of land fronting on the west frontage of Morgan Cir., 1,080+/- feet south of the Morgan Cir. & Attaway Rd. intersection; and

WHEREAS, said property is described as follows:
"SEE EXHIBIT A"

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 11th day of September, 2023, that the zone classification of the property of Danny Yarbrough from AG to E-1 is hereby approved.

Duly passed and approved this 11th day of September, 2023.

Sponsor		Jeff Tyndall
Commissioner		John Gannon
Approved		County Mayor

Attested: _____
County Clerk

"EXHIBIT A"

Beginning at a ½" iron pin in the western Right of Way (ROW) of Morgan Circle. Said POINT OF BEGINNING having Tennessee State Plane Coordinates of Northing 756144.36 and Easting of 1560403.53, and being the northeast corner of the David Yarbrough property, as recorded in ORV 831 PG 316 ROMCT. Thence, leaving said Morgan Circle, and along said Yarbrough property the following 3 calls, South 83°13'10" West, a distance of 185.56 feet to a ½" iron pin capped "Weakley." Thence, South 56°57'01" West, a distance of 122.64 to a ½" iron pin. Thence, South 27°24'25" East, a distance of 211.19 feet to a ½" iron pin capped "Weakley." Said iron pin being in the north line of the Don Morgan property, as recorded in ORV 2283 PG 2625 ROMCT.

Thence, leaving said Yarbrough property, and along said Morgan property the following 4 calls, North 89°39'52" West, a distance of 93.20 feet to a ½" iron pin. Thence, North 88°59'16" West, a distance of 414.79 feet to a ½" iron pin capped "TTL." Thence, South 82°29'11" West, a distance of 79.97 feet to a fence post. Thence, South 83°57'55" West, a distance of 145.99 feet to a ½" iron pin. Said iron pin being the northwest corner of said Morgan property, and the northeast corner of the Chris & September Proctor property, as recorded in ORV 1710 PG 332 ROMCT.

Thence, leaving said Morgan property, and along said Proctor property the following 2 calls, South 86°53'23" West, a distance of 74.86 feet to a ½" iron pin set capped "TTL." Thence, North 74°27'21" West, a distance of 194.71 feet to a ½" iron pin. Said iron pin being the northwest corner of said Proctor property, and being the northeast corner of the Christopher Proctor property, as recorded in ORB 2089 PG 501 ROMCT. Thence, leaving said first mentioned Proctor property, and along said later mentioned Proctor property, South 85°41'17" West, a distance of 266.29 feet to a point. Said point being the southwest corner of herein described rezone area. Thence, leaving said Proctor property, and along a new rezone line through the subject property, North 06°57'19" East, a distance of 853.11 feet to a point. Said point being in the south line of the Edd Lyle property, as recorded in Deed Book (DB) 63 PG 302 ROMCT. Thence, leaving said new rezone line, and along said Lyle property, to along and past the William Lyle property, as recorded in DB 168 PG 189 ROMCT, to along and past the 911 Bail Bonding Real Estate Investment LLC property, as recorded in ORV 1777 PG 2162 ROMCT, and to and along the Daniel Sylvester property, as recorded in ORV 52 PG 388 ROMCT property, South 83°02'30" East, a distance of 1221.12 feet to a ½" iron pin capped "Weakley." Said pin also being the southwest corner of the Christopher Warren property, as recorded in ORV 1018 PG 663 ROMCT. Thence, leaving said Sylvester property, and along said Warren property, South 81°00'18" East, a distance of 367.14 feet to a ½" iron pin capped "Weakley." Said iron pin being in the western ROW of Morgan Circle. Thence, leaving said Warren property, and along said Morgan Circle ROW, South 37°30'35" West, a distance of 205.66 feet to a point in the ROW. Thence, continuing along said ROW, along a 750.00 foot radius curve concave to the southeast a distance of 236.77 feet, and being subtended by a chord bearing of South 25°49'37" West and a chord distance of 235.79 feet to said POINT OF BEGINNING.

CLARKSVILLE-MONTGOMERY COUNTY REGIONAL PLANNING

STAFF REVIEW - ZONING

RPC MEETING DATE: 08/29/2023

CASE NUMBER: CZ - 14 -2023

NAME OF APPLICANT:Danny Yarbrough

AGENT: Grayson Smith

GENERAL INFORMATION

TAX PLAT: 133

PARCEL(S): 013.00(p/o)

ACREAGE TO BE REZONED: 24.4 +/-

PRESENT ZONING: AG

PROPOSED ZONING: E-1

EXTENSION OF ZONING

CLASSIFICATION: YES

PROPERTY LOCATION: A tract of land fronting on the west frontage of Morgan Cir., 1,080+/- feet south of the Morgan Cir. & Attaway Rd. intersection.

CITY COUNCIL WARD: **COUNTY COMMISSION DISTRICT:** 6 **CIVIL DISTRICT:** 17

DESCRIPTION OF PROPERTY:

APPLICANT'S STATEMENT This property has E-1 property adjacent to the northeast corner and R-1 along most of its southern
FOR PROPOSED USE: boundary. Rezone is for a small development on the east side of the property with lots that are
similar in size and nature to lots in the area.

GROWTH PLAN AREA: RA **PLANNING AREA:** Cumberland

PREVIOUS ZONING HISTORY:

CLARKSVILLE-MONTGOMERY COUNTY REGIONAL PLANNING

STAFF REVIEW - ZONING

DEPARTMENT COMMENTS

CZ 14 2023

- ☐ FIRE DEPARTMENT
- ☒ EMERGENCY MANAGEMENT
- ☐ SHERIFFS DEPT.
- ☒ DIV. OF GROUND WATER
- ☐ HOUSING AUTHORITY
- ☐ COMMON DESIGN REVIEW BOARD
- ☐ GAS & WATER DEPT. (DIGITAL ONLY)
- ☐ CUMBERLAND HTS U/D (DIGITAL ONLY)
- ☒ CUNNINGHAM U/D (DIGITAL ONLY)
- ☐ EAST MONT. U/D (DIGITAL ONLY)

- ☐ WOODLAWN U/D (DIGITAL ONLY)
- ☐ CITY STREET DEPT. (DIGITAL ONLY)
- ☒ COUNTY HWY. DEPT. (DIGITAL ONLY)
- ☒ CEMC (DIGITAL ONLY)
- ☐ CDE (DIGITAL ONLY)
- ☐ ATT (DIGITAL ONLY)
- ☐ POLICE DEPT. (DIGITAL ONLY)
- ☐ CITY BLDG DEPT. (DIGITAL ONLY)
- ☒ COUNTY BLDG DEPT. (DIGITAL ONLY)
- ☒ SCHOOL SYSTEM OPS. (DIGITAL ONLY)

- ☐ FT. CAMPBELL (DIGITAL ONLY)
- ☐ IND. DEV. BD. (DIGITAL ONLY)
- ☐ CHARTER (DIGITAL ONLY)
- ☐ OTHER

1. CITY ENGINEER/UTILITY DISTRICT:

No Comment(s) Received

2. STREET DEPARTMENT/ COUNTY HIGHWAY DEPARTMENT:

Department responded. No concerns listed.

3. DRAINAGE COMMENTS:

Department responded. No concerns listed.

4. CDE/CEMC:

No Comment(s) Received

5. FIRE DEPT/EMERGENCY MGT.:

Department responded. No concerns listed.

6. POLICE DEPT/SHERIFF'S OFFICE:

No Comment(s) Received

7. CITY BUILDING DEPARTMENT/ COUNTY BUILDING DEPARTMENT:

No Comment(s) Received

8. SCHOOL SYSTEM:

Montgomery Central Middle School is at 97% capacity and currently has 4 portable classrooms. This development could add additional students and require additional infrastructure and funding.

ELEMENTARY:

MIDDLE SCHOOL:

HIGH SCHOOL:

9. FT. CAMPBELL:

10. OTHER COMMENTS:

CLARKSVILLE-MONTGOMERY COUNTY REGIONAL PLANNING
STAFF REVIEW - ZONING

PLANNING STAFF'S STUDY AND RECOMMENDATION

CZ 14 2023

IMPACT OF PROPOSED USE ON Increased single family residential
SURROUNDING DEVELOPMENT:

INFRASTRUCTURE:

WATER SOURCE: CUNNINGHAM

SEWER SOURCE: SEPTIC

STREET/ROAD ACCESSIBILITY: Morgan Circle

DRAINAGE COMMENTS:

RESIDENTIAL DEVELOPMENT

APPLICANT'S ESTIMATES HISTORICAL ESTIMATES

LOTS/UNITS: 15

POPULATION: 40

APPLICABLE LAND USE PLAN

Cumberland Planning Area: Least densely populated planning area in Montgomery County. The area has some of the roughest terrain in Montgomery County. Lower Density residential is anticipated due to the lack of public sewer

STAFF RECOMMENDATION: **APPROVAL**

1. The proposed zoning request is consistent with the adopted Land Use Plan.
2. The proposed E-1 Single Family Estate District small scale development that is not out of character with the surrounding area & is within a node of residential development.
3. Adequate infrastructure serves the site & no adverse environmental issues were identified relative to this request.
- 4.
- 5.



CZ-14-2023

APPLICANT:
DANNY YARBROUGH

REQUEST:

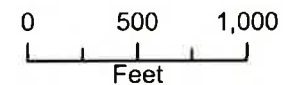
AG
TO
E-1

MAP & PARCEL

133 01300 (P)

ACRES +/-
24.4

Scale: 1:10,000



8/29/2023

 **CZ-14-2023**
 **Parcels**
ZONING



CZ-14-2023

APPLICANT:
DANNY YARBROUGH

REQUEST:

AG
TO
E-1

MAP & PARCEL

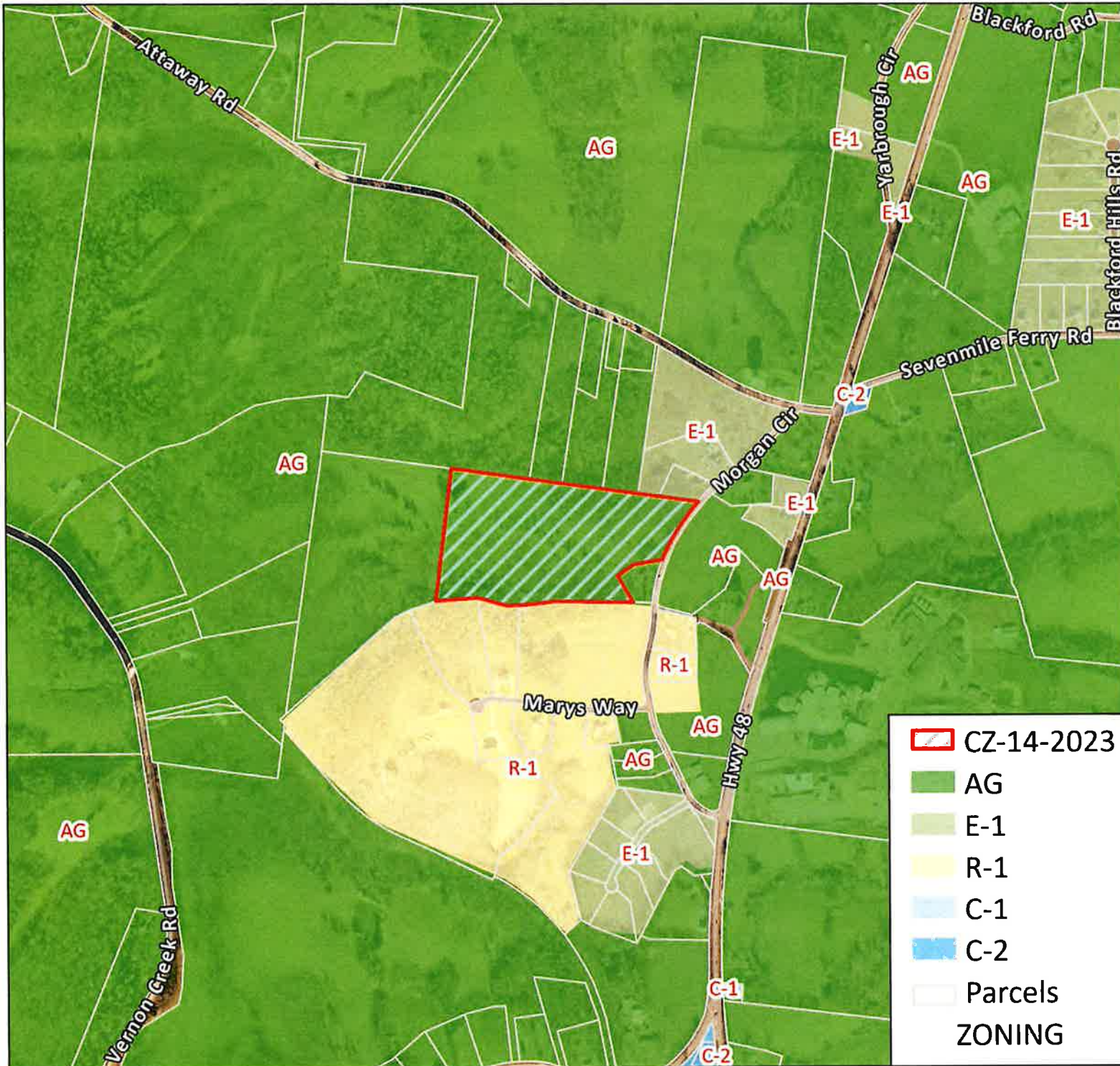
133 01300 (P)

ACRES +/-
24.4

Scale: 1:3,000

0 150 300
Feet

8/29/2023



CZ-14-2023

APPLICANT:
DANNY YARBROUGH

REQUEST:

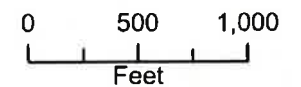
AG
TO
E-1

MAP & PARCEL

133 01300 (P)

ACRES +/-
24.4

Scale: 1:10,000



8/29/2023

CASE NUMBER: CZ 14 2023 **MEETING DATE** 08/29/2023

APPLICANT: Danny Yarbrough

PRESENT ZONING AG

PROPOSED ZONING E-1

TAX PLAT # 133

PARCEL 013.00(p/o)

GEN. LOCATION A tract of land fronting on the west frontage of Morgan Cir., 1,080+/- feet south of the Morgan Cir. & Attaway Rd. intersection.

PUBLIC COMMENTS

DISCLAIMER: The items provided in this section have been included as part of the public comment process. The CMCRPC cannot provide assurances to the validity of these items, to include emails, comments, photos, site plans, design details, etc. as they have not been reviewed for the purposes of accuracy and/or regulatory compliance. It is further noted that Site Plans, Subdivision Plans, Design Details, etc. that are submitted as part of this section are non-binding & may be altered prior to seeking CMCRPC approval, with the exception of PUD, MXU-PUD & MLUD Districts.

None received as of 4:30 P.M. on 8/28/2023 (A.L.)

A RESOLUTION APPROVING THE VACATION OF A PORTION OF HEATH DRIVE;

WHEREAS, Application was made by Montgomery County Highway Department for vacation of a portion of Heath Drive; being approximately 30 +/- feet wide 845 +/- feet long; containing approximately 25,350 +/- sq. ft.; shown on Montgomery County tax map 148, at the end of parcel 01801 and within parcel 01800, also shown on "Attachment A" herein;

WHEREAS, the application was reviewed by the County Highway Supervisor according to established procedures adopted by the Montgomery County Commission (Resolution 10-7-4) and was forwarded to the Regional Planning Commission for consideration; and

WHEREAS, the Regional Planning Commission reviewed the County Highway Supervisor's letter and documentation and recommends for the vacation of a portion of Heath Drive to the County Commission and voted for approval at their regularly scheduled meeting on August 29th, 2023; and

WHEREAS, a drainage easement is not required with this vacation;

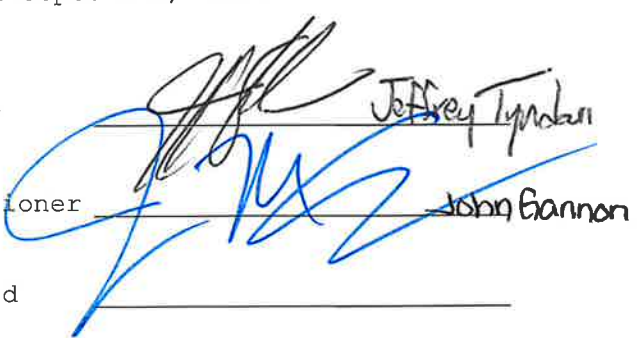
NOW, THEREFORE, BE IT RESOLVED by the Montgomery County Board of County Commissioners assembled in regular session on this 11th day of September, 2023, that the above described public right-of-way is hereby approved.

Duly passed and approved this 11th day of September, 2023.

Sponsor

Commissioner

Approved

Handwritten signatures of Jeffrey Tyndall and John E. Gannon in blue ink. Jeffrey Tyndall's signature is above the Commissioner line, and John E. Gannon's signature is below it. There is also a large blue signature that appears to be 'J. Gannon' written over the Commissioner line.

Attested _____
County Clerk



Heath Dr ROW Abandonment

 Abandonment Request (0.16 miles)



**RESOLUTION BY THE MONTGOMERY COUNTY CHILD ADVOCACY CENTER
ACCEPTING ADDITIONAL GRANT FUNDS FROM THE CHILDREN'S ADVOCACY
CENTERS OF TENNESSEE AND AMENDING THE BUDGET OF THE MONTGOMERY
COUNTY CHILD ADVOCACY CENTER IN THE AMOUNT OF EIGHTY-TWO THOUSAND
EIGHT HUNDRED ELEVEN DOLLARS (\$82,811)**

WHEREAS, the Montgomery County Child Advocacy Center (CAC) is a child-focused program in which many disciplines – law enforcement, child protective services, prosecutors, mental health, and medical services – collaborate on a state-mandated, multidisciplinary Child Protection Investigative Team for the investigation, treatment, and prosecution of severe child abuse cases; and

WHEREAS, the Montgomery County CAC is fully accredited by the National Children's Alliance and is a member of the Children's Advocacy Centers of Tennessee; and

WHEREAS, an essential component of Child Advocacy Centers across the nation is evidence-based, trauma focused mental health services for amelioration of the effects of severe abuse on children and families; and


WHEREAS, the Children's Advocacy Centers of Tennessee has awarded an additional eighty-two thousand eight hundred eleven dollars (\$82,811.00) to the Montgomery County CAC to support therapy services at the CAC and other enhanced operational costs, including state-of-the-art training for staff and multidisciplinary partners, educational materials, and updated furnishings.

NOW, THEREFORE, BE IT RESOLVED by the Montgomery County Board of Commissioners assembled in Regular Session on this 11th day of September 2023, that the budget of the Montgomery County Child Advocacy Center be amended to accept additional grant funding in the amount of eighty-two thousand eight hundred eleven dollars (\$82,811.00) from the Children's Advocacy Centers of Tennessee and appropriate these funds as follows:

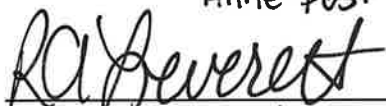
<u>Account Number</u>	<u>Description</u>	<u>Amount</u>
101-54240-00000-54-48130-05253	Contributions	(\$ 82,811.00)
101-54240-00000-54-53990-05253	Other Contracted Services	\$ 69,960.00
101-54240-00000-54-53550-05253	Travel	\$ 6,080.00
101-54240-00000-54-54990-05253	Other Supplies and Materials	\$ 6,771.00

Duly passed and approved this 11th day of September 2023.

Sponsor


Anne Post

Commissioner


Rashidah Leverett

Approved

Wes Golden, County Mayor

Attested

Teresa Cottrell, County Clerk

**RESOLUTION TO ACCEPT OFFICE OF DOMESTIC PREPAREDNESS STATE
HOMELAND SECURITY GRANT PROGRAM 34101-18123 AND TO APPROPRIATE FUNDS**

WHEREAS, the Montgomery County Emergency Management Agency was awarded a grant from the Department of Military, Tennessee Emergency Management Agency, in the amount of ninety-six thousand four hundred forty-eight dollars and six cents (\$96,448.00), which includes:

1. Forty-three thousand three hundred eighteen dollars (\$43,318.00) for tactical training for law enforcement SWAT teams in Homeland Security District 7; and
2. Twenty-two thousand dollars (\$22,000.00) for new batteries for one of the Montgomery County Sheriff's Office Bomb Squad robots; and
3. Twenty-one thousand two hundred ninety-seven dollars (\$21,297.00) to purchase security camera/weather station for Montgomery County Public Safety communication towers; and
4. Eight thousand dollars (\$8,000.00) for communication headsets for SWAT team in Homeland Security District 7; and
5. One thousand eight hundred thirty-three dollars (\$1,833.00) to purchase equipment to support Montgomery County EMA response programs to assist others during and immediately following an emergency or disaster; and

WHEREAS, the grant period is from September 1, 2022 until April 30, 2025; and

WHEREAS, this grant consists of all pass-through federal dollars and will not require any matching county funds and there are no continuation project requirements.

NOW, THEREFORE, BE IT RESOLVED by the Montgomery County Board of Commissioners assembled in regular session on this 11th day of September 2023, that the following appropriates are approved.

County General Fund

Revenue

101-54490-00000-54-47235-G2450 FY 2022 Homeland Security Grant (\$96,448.00)

Expenditures

Other Emergency Management

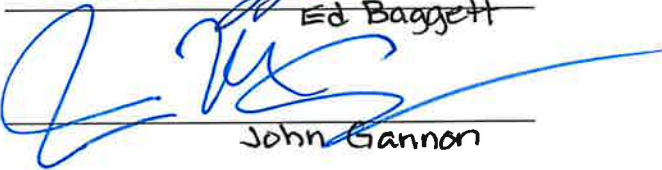
101-54490-00000-54-53990-G2450	Other Contracted Services	43,318.00
101-54490-00000-54-54990-G2450	Other Supplies & Materials	1,833.00
101-54490-00000-54-57900-G2450	Other Equipment	<u>51,297.00</u>
	Total	\$96,448.00

Duly passed and approved this 11th day of September, 2023.

Sponsor


Ed Baggett

Commissioner


John Gannon

Approved

Wes Golden, County Mayor

Attested _____
Teresa Cottrell, County Clerk

**RESOLUTION AMENDING THE MONTGOMERY COUNTY CREDIT/DEBIT CARD
PROCESSING SECURITY AND OPERATION POLICY**

WHEREAS, Montgomery County Government's fee collecting offices strive to provide efficient and effective service to the citizens of Montgomery County; and

WHEREAS, several of these offices are able to accept credit/debit card payments where the funds are deposited and managed through the Montgomery County Trustee's office; and

WHEREAS, Montgomery County Government requires all departments that process, store or transmit credit/debit card data to remain in compliance with the Payment Card Industry Data Security Standard (PCI DSS); and

WHEREAS, in order to adhere to these standards as well as the standards of Montgomery County Government, Montgomery County Accounts and Budgets wishes to update the County's credit/debit card processing security and operation policy to ensure that all county departments and employees who accept credit/debit card payments are aware of and follow these policies and procedures (see Exhibit A); and

WHEREAS, new software from Tyler Technologies, ENERGOV, will be utilized in the Montgomery County Building & Codes department and the Montgomery County Highway department to provide more efficient services to the citizens of Montgomery County; and

WHEREAS, in order to process credit/debit card payments through ENERGOV, a higher processing fee of 3.4% with a minimum processing fee of \$2.50 will be charged for each transaction; and

WHEREAS, because of this processing fee, an addendum to the Montgomery County Credit/Debit Card Processing Security and Operation Policy must be added approving the charge of this fee for any transactions made through the Energov software.

NOW, THEREFORE, BE IT RESOLVED by the Montgomery County Board of Commissioners meeting in regular session on this 11th day of September 2023, that the Montgomery County Credit/Debit Card Processing Security and Operation Policy be updated and approved to include Addendum A as shown (see Exhibit A).

Duly approved and adopted this the 11th day of September, 2023.

Sponsor


Wes Golden

Commissioner


Rashidah Leverett

Approved

Wes Golden, County Mayor

Attested

Teresa Cottrell, County Clerk



Montgomery County Credit/Debit Card Processing Security and Operation Policy

Montgomery County requires all departments that process, store, or transmit credit card data to remain in compliance with the Payment Card Industry Data Security Standard (PCI DSS). The purpose of this policy is to outline our safeguards to protect our customers' credit card data and to outline best practices for all aspects of credit card transactions.

What is PCI DSS

PCI DSS was established by the credit card industry in response to an increase in identity theft and credit card fraud. Every merchant who handles credit card data is responsible for safeguarding that information and can be held liable for security compromises. This standard has twelve requirements.

PCI Data Security Standards

- Requirement 1: Install and maintain a firewall configuration to protect cardholder data.
- Requirement 2: Do not use vendor-supplied defaults for system passwords and other security parameters.
- Requirement 3: Protect stored cardholder data
- Requirement 4: Encrypt transmission of cardholder data across open, public networks.
- Requirement 5: Use and regularly update anti-virus software
- Requirement 6: Develop and maintain secure systems and applications.
- Requirement 7: Restrict access to cardholder data by business need-to-know
- Requirement 8: Assign a unique ID to each person with computer access
- Requirement 9: Restrict physical access to cardholder data.
- Requirement 10: Track and monitor all access to network resources and cardholder data
- Requirement 11: Regularly test security systems and processes.
- Requirement 12: Maintain a policy that addresses information security.

Who is Affected by This Policy

All County Departments that accept credit/debit card payments and any persons with the responsibilities of processing, storage, or transmitting of credit card data

Local Procedures

Montgomery County gladly accepts VISA and MASTERCARD cards only. ***Montgomery County Government does not accept American Express or Discover cards due to the fact that their fees are higher than the county's acceptable credit/debit card fees.*** Montgomery County Government is unable to absorb credit card processing fees in the County Budget. Those using credit cards to pay fees, fines, taxes, and all other payments will be charged as follows:

Processing Fees*

All Any credit/debit cards processed through Montgomery County offices other than those processed through Energov software will be charged a 2.50% processing fee on all transactions

Attached is the signage that should be visibly displayed in all departments describing the above fee conditions so that customers are aware of the additional fees charged when using a credit/debit card. Customers should also be notified before the transaction is processed of the additional fee amount.

The transaction for the processing fee and total payment will be processed as one transaction but entered as separate cash receipts into MUNIS.

**According to T.C.A. § 9-1-108(c) It is lawful for any municipal or county entity or officer to receive payment by credit card or debit card for any public taxes, licenses, fines, fees, or other moneys collected by such municipal or county entity or officer. (3) Any municipal or county entity or officer collecting payment by credit card or debit card shall set and collect a processing fee in the amount that is equal to the amount paid to the third-party processor for processing the payment. However, the processing fee shall not be set in an amount that exceeds five percent (5%) of the amount of the payment collected by credit card or debit card.*

Reconciliation Process

End of the day Settlement Statement Process

At the end of each day the following should be completed:

- Run the MUNIS report to show how much was collected via credit/debit card transactions.
- Run the Settlement Statement report via the credit/debit card machine.
- Total all the merchant credit/debit card receipts.
- The totals on all three reports should agree.
- Copies of all reports should be sent to the Accounts and Budgets Department daily or at a minimum of every three days.
- The Accounts and Budgets Department will send the documents to the Trustee's office daily or at a minimum of every three days**

****** According to T.C.A. 5-8-207 (a) (1) Every county official handling public funds shall be required to maintain an official bank account in a bank or banks within this state, and shall, within three (3) days after the receipt by such county official of any public funds, deposit the funds to the credit of such county official's official bank account, or bank accounts. Each county official maintaining an official bank account is authorized to enter into such agreements with banks and other financial institutions as necessary for the maintenance of collateral to secure the funds on deposit; provided, that the deposit of county funds in banks or financial institutions by a county trustee shall be done in accordance with § 5-8-201.

Cardholder Security

Access to Customer Credit Card Data

- Access is authorized to only those who are responsible for processing or facilitating credit card transactions
- Only authorized persons may process credit card transactions or have access to documentation related to credit card transactions.
- All department heads in which credit card processing is available must sign and adhere to this policy and provide a list of all authorized users involved in processing, storing, or transmitting credit card data in their department.
- Signed policies will be maintained by the Montgomery County Accounts and Budgets Department
- Processors will maintain the confidentiality of passwords.

- Credit card numbers and cardholder data may not be emailed, faxed, or sent via any electronic messaging technologies.

Card Present Credit Card Transactions

- Picture ID is required at the time of transaction.
- Always provide receipt to the customer
- Store transaction documentation and merchant receipt in a secure (locked) area

Card NOT Present Credit Card Transactions (to include transactions over the phone)

- These transactions *must* be approved by a supervisor by initialing all backup documentation.
- These transactions should be limited and only accepted on a case-by-case basis.
- Manually entry will be required.
- Card number, name as it appears on card, expiration date, and 3-digit security code from the back of the card will be needed to process.
- The credit card payment information form must be entirely filled out. No missing information will be accepted.
- Customer name must be printed at the bottom of the credit/debit card receipt along with the phone number from which the payment was taken.

Receipt of Credit Card Information in Email

- Under no circumstances will credit card numbers received in email be processed

Retention and Flow of Documents

- Cardholder data should be retained in a secure centralized location for twelve (12) months as is necessary for business purposes or until such time in which the Trustee's Office Staff Accountant gives notification of reconciliation of the bank statement.
- Cardholder data will be destroyed when no longer needed.
- Merchant copies with attached receivable reports should be forwarded to the Montgomery County Accounts and Budgets Department

Chargebacks, Credits, and Voids

- Chargebacks, Credits, and Voids must be approved by a supervisor by initialing all backup documentation.

Definitions

Cardholder	Customer to whom a card is issued or individual authorized to use the card
Cardholder data	* Cardholder name * Expiration date * Service Code
Merchant	A unit that accepts credit cards as a method of payment for goods, services, information, or gifts

As an employee of Montgomery County, I acknowledge that in the course of my employment I may have access to personal, proprietary, transaction-specific, and/or otherwise confidential data through the processing of credit card transactions.

As an individual with responsibilities for processing, storing and/or transmitting credit card data, I may have direct access to sensitive and confidential information in paper or electronic format. To protect the integrity and the security of the systems and processes as well as the personal and proprietary data of those to whom Montgomery County provides service, and to preserve and maximize the effectiveness of Montgomery County's resources, I agree to the following:

- I have been provided a written copy of the Montgomery County Credit Card Processing Security and Operation Policy
- I have attended training on this policy prior to signing.
- I have read, understand, and agree to abide by the Montgomery County Credit Card Processing Security and Operation Policy

Department _____ Department Phone # _____

Department Head Name _____

Department Head Signature _____ Date _____

Department Head E-mail _____

Employee Name _____

Employee Signature _____ Date _____

Employee E-mail _____

Contacts Regarding the Policy
Accounts and Budgets Department
931-648-5705

ADDENDUM A TO PROCESSING FEES

- ***ANY DEPARTMENTS UTILIZING ENERGOV SOFTWARE FOR ONLINE AND IN-OFFICE PAYMENTS WILL BE REQUIRED TO CHARGE A CREDIT/DEBIT CARD FEE PAID BY CUSTOMERS OF 3.4% WITH A MINIMUM CHARGE OF \$2.50 FOR ANY TRANSACTIONS THAT OCCUR THROUGH ENERGOV***

**RESOLUTION TO AMEND THE BUDGETS OF VARIOUS FUNDS
FOR FISCAL YEAR 2024 IN CERTAIN AREAS OF
REVENUES AND EXPENDITURES**

WHEREAS, the Director of Accounts and Budgets has performed continuing reviews of the status of funding needs and the receipts of revenues anticipated in support of the various budgets; and

WHEREAS, the County Commission desires to appropriate funding to these expenditure accounts from various sources including revenues, designated fund balances, and/or other sources within the funds in which those accounts operate.

NOW, THEREFORE, BE IT RESOLVED by the Montgomery County Board of Commissioners, assembled in regular business session this 11th day of September 2023, that the budgets for various funds for FY24 be amended as to revenues and expenditures, according to the attached Account Schedule 1.

Duly passed and approved this 11th day of September 2023.

Sponsor

 Wes Golden

Commissioner

 John Gannon

Approved


Wes Golden, County Mayor

Attested

Teresa Cottrell, County Clerk

Montgomery County Government
Schedule 1
General Fund Budget

<i>2023-2024 Budget 8/15/23</i>	<i>Proposed Increase (Decrease)</i>	<i>2023-2024 Amended Budget</i>
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ESTIMATED REVENUES

Local Taxes

40110 CURRENT PROPERTY TAX	82,200,000	82,200,000
40120 TRUSTEE'S COLLECTIONS -	800,000	800,000
40125 TRUSTEE COLLECTIONS - BA	30,000	30,000
40130 CIRCUIT/CHANCERY COLLECT	500,000	500,000
40140 INTEREST & PENALTY	300,000	300,000
40161 PMTS IN LIEU OF TAXES -	763	763
40162 PMTS IN LIEU OF TAXES -U	1,640,000	1,640,000
40163 PMTS IN LIEU OF TAXES -	915,327	915,327
40220 HOTEL/MOTEL TAX	2,500,000	2,500,000
40250 LITIGATION TAX - GENERAL	390,000	390,000
40260 LITIGATION TAX-SPECIAL P	80,000	80,000
40270 BUSINESS TAX	2,000,000	2,000,000
40320 BANK EXCISE TAX	450,000	450,000
40330 WHOLESALE BEER TAX	400,000	400,000
40350 INTERSTATE TELECOMMUNICA	-	-
Total Local Taxes	92,206,090	92,206,090

Licenses & Permits

41120 ANIMAL REGISTRATION	195,000	195,000
41130 ANIMAL VACCINATION	10,000	10,000
41140 CABLE TV FRANCHISE	300,000	300,000
41520 BUILDING PERMITS	1,500,000	1,500,000
41540 PLUMBING PERMITS	30,000	30,000
41590 OTHER PERMITS	375,000	375,000
Total Licenses & Permits	2,410,000	2,410,000

Fines, Forfeitures & Penalties

42110 FINES	14,000	14,000
42120 OFFICERS COSTS	20,000	20,000
42141 DRUG COURT FEES	1,600	1,600
42142 VETERANS TREATMENT COURT	1,800	1,800
42190 DATA ENTRY FEES -CIRCUIT	9,000	9,000
42191 COURTROOM SECURITY - CIR	7,500	7,500
42192 CIRCUIT COURT VICTIMS AS	3,525	3,525
42310 FINES	135,000	135,000
42311 FINES - LITTERING	250	250
42320 OFFICERS COSTS	225,000	225,000
42330 GAME & FISH FINES	500	500
42341 DRUG COURT FEES	20,000	20,000
42342 VETERANS TREATMENT COURT	15,000	15,000
42350 JAIL FEES GENERAL SESSIO	200,000	200,000
42380 DUI TREATMENT FINES	20,000	20,000
42390 DATA ENTRY FEE-GENERAL S	63,000	63,000
42392 GEN SESSIONS VICTIM ASSE	60,000	60,000
42410 FINES	1,700	1,700
42420 OFFICERS COSTS	15,000	15,000
42450 JAIL FEES	25,000	25,000
42490 DATA ENTRY FEE-JUVENILE	10,250	10,250
42520 OFFICERS COSTS	35,000	35,000
42530 DATA ENTRY FEE -CHANCERY	5,000	5,000
42610 FINES	1,000	1,000
42641 DRUG COURT FEES	30,000	30,000
42910 PROCEEDS-CONFISCATED PROPERTY	3,000	3,000
42990 OTHER FINES/FORFEITS/PEN	18,300	18,300
Total Fines, Forfeitures & Penalties	940,425	940,425

Charges for Current Services

43120 PATIENT CHARGES	6,900,000	6,900,000
43140 ZONING STUDIES	4,500	4,500
43190 OTHER GENERAL SERVICE CH	55,000	55,000

43340 RECREATION FEES	17,000		17,000	
43350 COPY FEES	10,200		10,200	
43365 ARCHIVE & RECORD MANAGEM	475,500		475,500	
43366 GREENBELT LATE APPLICATI	-		-	
43370 TELEPHONE COMMISSIONS	436,000		436,000	
43380 VENDING MACHINE COLLECTI	68,000		68,000	
43383 TITLING & REGISTRATION	180,000		180,000	
43392 DATA PROCESSING FEES -RE	80,000		80,000	
43393 PROBATION FEES	27,000		27,000	
43394 DATA PROCESSING FEES - S	30,000		30,000	
43395 SEXUAL OFFENDER FEE - SH	18,000		18,000	
43396 DATA PROCESSING FEE-COUN	30,000		30,000	
43990 OTHER CHARGES FOR SERVIC	4,200		4,200	
Total Charges for Current Services	8,335,400		8,335,400	
Other Local Revenues				
44110 INTEREST EARNED	3,000,000		3,000,000	
44120 LEASE/RENTALS	325,320		325,320	
44140 SALE OF MAPS	3,000		3,000	
44145 SALE OF RECYCLED MATERIA	-		-	
44170 MISCELLANEOUS REFUNDS	313,000		313,000	
44530 SALE OF EQUIPMENT	5,000		5,000	
44990 OTHER LOCAL REVENUES	459,355		459,355	
Total Other Local Revenues	4,105,675		4,105,675	
Fees Received from County Officials				
45510 COUNTY CLERK	2,100,000		2,100,000	
45520 CIRCUIT COURT CLERK	700,000		700,000	
45540 GENERAL SESSIONS COURT C	1,700,000		1,700,000	
45550 CLERK & MASTER	425,000		425,000	
45560 JUVENILE COURT CLERK	200,000		200,000	
45580 REGISTER	1,300,000		1,300,000	
45590 SHERIFF	70,000		70,000	
45610 TRUSTEE	5,000,000		5,000,000	
Total Fees Received from County Officials	11,495,000		11,495,000	
State of Tennessee				
46110 JUVENILE SERVICES PROGRA	580,011		580,011	
46190 OTHER GENERAL GOVERNMENT GRANT	-		-	
46210 LAW ENFORCEMENT TRAINING	65,400		65,400	
46290 OTHER PUBLIC SAFETY GRANT	-		-	
46390 OTHER HEALTH & WELFARE G	310,600		310,600	
46430 LITTER PROGRAM	91,300		91,300	
46490 OTHER PUBLIC SAFETY GRANTS	-		-	
46810 FLOOD CONTROL	3,500		3,500	
46830 BEER TAX	20,000		20,000	
46835 VEHICLE CERTIFICATE OF T	27,000		27,000	
46840 ALCOHOLIC BEVERAGE TAX	400,000		400,000	
46851 STATE REVENUE SHARING -	2,200,000		2,200,000	
46852 REVENUE SHARING-TELECOM	290,000		290,000	
46880 BOARD OF JURORS	-		-	
46890 PRISONER TRANSPORTATION	15,000		15,000	
46915 CONTRACTED PRISONER BOAR	400,000		400,000	
46960 REGISTRAR'S SALARY SUPPL	15,164		15,164	
46980 OTHER STATE GRANTS	545,802		545,802	
101-55190-00000-55-46980-G5225	3,358,000	223,500.00	3,581,500	Local Health Services Grant
46990 OTHER STATE REVENUES	990,000		990,000	
Total State of Tennessee	9,311,777		9,535,277	
Federal Revenues				
47235 HOMELAND SECURITY GRANTS	212,363		212,363	
47590 OTHER FEDERAL THROUGH STATE	105,849		105,849	
47700 ASSET FORFEITURE FUNDS	292,000		292,000	
47990 OTHER DIRECT FEDERAL REV	336,175		336,175	
Total Federal Revenues	612,212		946,387	
Other Governments & Citizen Groups				
48110 PRISONER BOARD	-		-	
48130 CONTRIBUTIONS	267,973		267,973	
48140 CONTRACTED SERVICES	264,000		264,000	
48610 DONATIONS	4,110		4,110	

<i>Total Other Governments & Citizen Groups</i>	<u>536,083</u>	<u>536,083</u>
<i>Non-Revenue Source</i>		
<i>49800 OPERATING TRANSFERS</i>	<u>150,534</u>	<u>150,534</u>
<i>Total Non-Revenue Source</i>	<u>150,534</u>	<u>150,534</u>
<i>TOTAL GENERAL FUND REVENUES</i>	<u>130,276,271</u>	<u>-</u>
	<u>130,276,271</u>	<u>130,276,271</u>

Montgomery County Government
Schedule 1
General Fund Budget

	2023-2024 Budget as of 8/15/2023	Proposed Increase (Decrease)	2023-2024 Amended Budget	
51100 COUNTY COMMISSION	430,242	-	430,242	
51210 BOARD OF EQUALIZATION	11,128	-	11,128	
51220 BEER BOARD	5,693	-	5,693	
51240 OTHER BOARDS & COMMITTEE	6,890	-	6,890	
51300 COUNTY MAYOR	795,307	-	795,307	
51310 HUMAN RESOURCES	1,509,683	-	1,509,683	
51400 COUNTY ATTORNEY	250,000	-	250,000	
51500 ELECTION COMMISSION	977,677	-	977,677	
51600 REGISTER OF DEEDS	856,128	-	856,128	
51720 PLANNING	545,333	-	545,333	
51730 BUILDING	703,250	-	703,250	
51750 CODES COMPLIANCE	1,511,872	-	1,511,872	
101-51750-00000-51-57180	115,000	21,000	136,000	Motor Vehicles (Increase in price over what was originally budgeted)
51760 GEOGRAPHICAL INFO SYSTEM	295,215	-	295,215	
51800 COUNTY BUILDINGS	618,928	-	618,928	
51810 FACILITIES	3,974,445	-	3,974,445	
51900 OTHER GENERAL ADMINISTRA	1,486,297	-	1,486,297	
51910 ARCHIVES	635,738	-	635,738	
52100 ACCOUNTS & BUDGETS	1,056,660	-	1,056,660	
52200 PURCHASING	430,112	-	430,112	
52300 PROPERTY ASSESSOR'S OFFICE	2,564,320	-	2,564,320	
52400 COUNTY TRUSTEES OFFICE	1,017,250	-	1,017,250	
52500 COUNTY CLERK'S OFFICE	3,866,945	-	3,866,945	
52600 INFORMATION SYSTEMS	5,415,165	-	5,415,165	
52900 OTHER FINANCE	61,300	-	61,300	
53100 CIRCUIT COURT	5,135,827	-	5,135,827	
53300 GENERAL SESSIONS COURT	753,376	-	753,376	
53330 DRUG COURT	70,000	-	70,000	
53400 CHANCERY COURT	932,868	-	932,868	
53500 JUVENILE COURT	1,918,517	-	1,918,517	
53600 DISTRICT ATTORNEY GENERAL	84,750	-	84,750	
53610 OFFICE OF PUBLIC DEFENDER	7,313	-	7,313	
53700 JUDICIAL COMMISSIONERS	408,433	-	408,433	
53800 VETERANS' TREATMENT COURT	659,649	-	659,649	
53900 OTHER ADMINISTRATION/ JU	557,086	-	557,086	
53910 ADULT PROBATION SERVICES	1,577,856	-	1,577,856	
54110 SHERIFF'S DEPARTMENT	19,121,410	-	19,121,410	
54120 SPECIAL PATROLS	5,631,774	-	5,631,774	
54150 DRUG ENFORCEMENT	216,000	-	216,000	
54160 SEXUAL OFFENDER REGISTRY	14,000	-	14,000	
54210 JAIL	19,390,475	-	19,390,475	
54220 WORKHOUSE	2,248,721	-	2,248,721	
54230 COMMUNITY CORRECTIONS	776,602	-	776,602	
101-54230-00000-54-57180-G5156	-	65,000	65,000	Motor Vehicles (Was approved in March; but no vehicles were available)
54240 JUVENILE SERVICES	377,087	-	377,087	
54310 FIRE PREVENTION & CONTRO	815,808	-	815,808	
54410 EMERGENCY MANAGEMENT	731,195	-	731,195	
54490 OTHER EMERGENCY MANAGEMENT	73,128	-	73,128	
54610 COUNTY CORONER / MED EXA	585,000	-	585,000	
55110 HEALTH DEPARTMENT	350,743	-	350,743	
55120 RABIES & ANIMAL CONTROL	2,050,527	-	2,050,527	
55130 AMBULANCE SERVICE	18,089,898	-	18,089,898	
55190 OTHER LOCAL HLTH SRVCS	106,800	-	106,800	
101-55190-00000-55-51300-G5225	592,356	48,044	640,400	Local Health Services Grant (Social Workers)
101-55190-00000-55-51310-G5225	771,201	106,872	878,073	Local Health Services Grant (Medical Personnel)
101-55190-00000-55-51620-G5225	799,252	3,775	803,027	Local Health Services Grant (Clerical Personnel)
101-55190-00000-55-51630-G5225	48,891	(8,891)	40,000	Local Health Services Grant (Aides)
101-55190-00000-55-52010-G5225	125,978	15,712	141,690	Local Health Services Grant (Social Security)
101-55190-00000-55-52040-G5225	260,053	35,957	296,010	Local Health Services Grant (State Retirement)
101-55190-00000-55-52060-G5225	2,596	404	3,000	Local Health Services Grant (Life Insurance)
101-55190-00000-55-52070-G5225	602,590	7,410	610,000	Local Health Services Grant (Medical Insurance)
101-55190-00000-55-52100-G5225	9,410	90	9,500	Local Health Services Grant (Unemployment Compensation)
101-55190-00000-55-52120-G5225	29,463	4,537	34,000	Local Health Services Grant (Employer Medicare)
101-55190-00000-55-52170-G5225	16,000	1,000	17,000	Local Health Services Grant (Retirement-Stabilization Rate)

101-55190-00000-55-53990-G5225	-	2,000	2,000	Local Health Services Grant (Other Contracted Services)
55390 APPROPRIATION TO STATE	156,123	-	156,123	
55590 OTHER LOCAL WELFARE SERV	20,825	-	20,825	
55900 OTHER PUBLIC HEALTH & WE	25,000	-	25,000	
56500 LIBRARIES	2,750,429	-	2,750,429	
56700 PARKS & FAIR BOARDS	2,842,211	-	2,842,211	
101-56700-00000-56-54990	140,220	25,213	165,433	Other Suppies & Materials (Funds coming from Reserves)
101-56700-00000-56-57990	53,000	13,923	66,923	Other Capital Outlay (Increased Cost of Vehicles)
56900 OTHER SOCIAL, CULTURAL &	9,688	-	9,688	
57100 AGRICULTURAL EXTENSION S	583,578	-	583,578	
57300 FOREST SERVICE	2,000	-	2,000	
57500 SOIL CONSERVATION	69,034	-	69,034	
57800 STORM WATER MANAGEMENT	-	-	-	
58110 TOURISM	1,825,000	-	1,825,000	
58120 INDUSTRIAL DEVELOPMENT	2,193,505	-	2,193,505	
58220 AIRPORT	523,865	-	523,865	
58300 VETERAN'S SERVICES	802,738	-	802,738	
58400 OTHER CHARGES	3,718,840	-	3,718,840	
58500 CONTRIBUTION TO OTHER AG	2,731,500	-	2,731,500	
58600 EMPLOYEE BENEFITS	573,000	-	573,000	
58900 MISC-CONT RESERVE	15,000	-	15,000	
64000 LITTER & TRASH COLLECTIO	201,713	-	201,713	
99100 OPERATING TRANSFERS	654,440	-	654,440	
Total General Fund Expenditures	134,974,920	342,046	135,316,966	

**INITIAL RESOLUTION AUTHORIZING THE ISSUANCE OF NOT TO EXCEED \$50,000,000
GENERAL OBLIGATION BONDS OF MONTGOMERY COUNTY, TENNESSEE**

BE IT RESOLVED by the Board of County Commissioners (the "Board") of Montgomery County, Tennessee (the "County") that for the purpose of financing, in whole or in part the (a) acquisition, design, site development, construction, maintenance, repair, renovation, equipping and/or improvement of (i) public buildings and facilities, including but not limited to schools and school facilities; (ii) plazas, streets, roads and bridges, including but not limited to sidewalks, signage, signalization, related facilities, lighting, culverts and drainage improvements; (iii) equipment, including vehicles; (iv) public art; and (v) all property, real and personal, related to the foregoing; (b) legal, fiscal, administrative, architectural and engineering costs incident to any or all of the foregoing; (c) reimbursement to the appropriate fund of the County for prior expenditures for the foregoing costs; and (d) costs incident to the issuance and sale of such bonds, there shall be issued bonds, in one or more emissions, of said County in the aggregate principal amount of not to exceed \$50,000,000, which shall bear interest at a rate or rates not to exceed the maximum rate permitted under Tennessee law, and which shall be payable from unlimited ad valorem taxes to be levied on all taxable property within the County.

BE IT FURTHER RESOLVED by the Board that the County Clerk of the County be, and is, hereby directed and instructed to cause the foregoing initial resolution relative to the issuance of not to exceed \$50,000,000 general obligation bonds to be published in full in a newspaper having a general circulation in the County, for one issue of said paper followed by the statutory notice, to-wit:

N O T I C E

The foregoing resolution has been adopted. Unless within twenty (20) days from the date of publication hereof a petition signed by at least ten percent (10%) of the registered voters of the County shall have been filed with the County Clerk of the County protesting the issuance of the bonds, such bonds will be issued as proposed.

Teresa Cottrell, County Clerk

Duly passed and approved this 11th day of September, 2023.

Sponsor _____

Commissioner _____

Approved _____

Wes Golden, County Mayor

Attested _____

Teresa Cottrell, County Clerk

STATE OF TENNESSEE)

COUNTY OF MONTGOMERY)

I, Teresa Cottrell, certify that I am the duly qualified and acting County Clerk of Montgomery County, Tennessee, and as such official I further certify that attached hereto is a copy of excerpts from the minutes of a regular meeting of the governing body of the County held on September 11, 2023; that these minutes were promptly and fully recorded and are open to public inspection; that I have compared said copy with the original minute record of said meeting in my official custody; and that said copy is a true, correct and complete transcript from said original minute record insofar as said original record relates to not to exceed \$50,000,000 general obligation bonds of said County.

WITNESS my official signature and seal of said County on this the 11th day of September 2023.

County Clerk

(SEAL)

36150331.1

A RESOLUTION AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS OF MONTGOMERY COUNTY, TENNESSEE IN THE AGGREGATE PRINCIPAL AMOUNT OF NOT TO EXCEED \$50,000,000, IN ONE OR MORE SERIES; MAKING PROVISION FOR THE ISSUANCE, SALE AND PAYMENT OF SAID BONDS, ESTABLISHING THE TERMS THEREOF AND THE DISPOSITION OF PROCEEDS THEREFROM; AND PROVIDING FOR THE LEVY OF TAXES FOR THE PAYMENT OF PRINCIPAL OF, PREMIUM, IF ANY, AND INTEREST ON THE BONDS

WHEREAS, pursuant to Sections 9-21-101, *et seq.*, Tennessee Code Annotated (the "Act"), counties in Tennessee are authorized through their respective governing bodies to issue and sell their bonds to finance public works projects; and

WHEREAS, the Board of County Commissioners (the "Governing Body") of Montgomery County, Tennessee (the "County") hereby determines that it is necessary and advisable to issue general obligation bonds, in one or more series, for the purpose of financing, in whole or in part, the (a) acquisition, design, site development, construction, maintenance, repair, renovation, equipping and/or improvement of (i) public buildings and facilities, including but not limited to schools and school facilities; (ii) plazas, streets, roads and bridges, including but not limited to sidewalks, signage, signalization, related facilities, lighting, culverts and drainage improvements; (iii) equipment, including vehicles; (iv) public art; and (v) all property, real and personal, related to the foregoing; (b) legal, fiscal, administrative, architectural and engineering costs incident to any or all of the foregoing; (c) reimbursement to the appropriate fund of the County for prior expenditures for the foregoing costs; and (d) costs incident to the issuance and sale of such bonds authorized herein; and

WHEREAS, the issuance of general obligation bonds to finance public works projects must be preceded by the adoption and publication of an initial resolution and the statutory notice required by Section 9-21-206, Tennessee Code Annotated; and

WHEREAS, the Governing Body did adopt on the date hereof an initial resolution (the "Initial Resolution") authorizing the issuance of not to exceed \$50,000,000 general obligation bonds to finance the foregoing projects and related costs; and

WHEREAS, the Initial Resolution, together with the notice required by Section 9-21-206, Tennessee Code Annotated, as amended, will be published as required by law; and

WHEREAS, it is the intention of the Board of County Commissioners of the County to adopt this resolution for the purpose of authorizing not to exceed \$50,000,000 in aggregate principal amount of general obligation bonds for the above-described purposes, providing for the issuance, sale and payment of said bonds, establishing the terms thereof, and the disposition of proceeds therefrom, and providing for the levy of a tax for the payment of principal thereof, premium, if any, and interest thereon.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Montgomery County, Tennessee, as follows:

Section 1. Authority. The bonds authorized by this resolution are issued pursuant to the Act and other applicable provisions of law.

Section 2. Definitions. In addition to the terms defined in the preamble above, the following terms shall have the following meanings in this resolution unless the text expressly or by necessary implication requires otherwise:

(a) “Bonds” means the not to exceed \$50,000,000 general obligation bonds of the County, to be dated their date of issuance, and having such series designation or such other dated date as shall be determined by the County Mayor pursuant to Section 8 hereof.

(b) “Book-Entry Form” or “Book-Entry System” means a form or system, as applicable, under which physical bond certificates in fully registered form are issued to a Depository, or to its nominee as Registered Owner, with the certificate of bonds being held by and “immobilized” in the custody of such Depository, and under which records maintained by persons, other than the County or the Registration Agent, constitute the written record that identifies, and records the transfer of, the beneficial “book-entry” interests in those bonds.

(c) “Code” means the Internal Revenue Code of 1986, as amended, and all regulations promulgated thereunder.

(d) “County Mayor” shall mean the County Mayor of the County.

(e) “Depository” means any securities depository that is a clearing agency under federal laws operating and maintaining, with its participants or otherwise, a Book-Entry System, including, but not limited to, DTC.

(f) “DTC” means The Depository Trust Company, a limited purpose company organized under the laws of the State of New York, and its successors and assigns.

(g) “DTC Participant(s)” means securities brokers and dealers, banks, trust companies and clearing corporations that have access to the DTC System.

(h) “Municipal Advisor” means Cumberland Securities Company, Inc., Knoxville, Tennessee.

(i) “Projects” means the (a) acquisition, design, site development, construction, maintenance, repair, renovation, equipping and/or improvement of (i) public buildings and facilities, including but not limited to schools and school facilities; (ii) plazas, streets, roads and bridges, including but not limited to sidewalks, signage, signalization, related facilities, lighting, culverts and drainage improvements; (iii) equipment, including vehicles; (iv) public art; and (v) all property, real and personal, related to the foregoing; and (b) payment of legal, fiscal, administrative, architectural and engineering costs incident to any or all of the foregoing.

(j) “Registration Agent” means the registration and paying agent appointed by the County Mayor pursuant to the terms hereof, or any successor designated by the Governing Body.

Section 3. Findings of the Governing Body; Compliance with Debt Management Policy.

(a) In conformance with the directive of the State Funding Board of the State of Tennessee, the County has heretofore adopted its Debt Management Policy. The Governing Body hereby finds that the issuance and sale of the Bonds, as proposed herein, is consistent with the County’s Debt Management Policy.

(b) The estimated interest expense and costs of issuance of the Bonds have been made available to the Governing Body.

(c) Attached hereto as Exhibit A is an engagement letter (the “Engagement Letter”) by Bass, Berry & Sims PLC, as Bond Counsel (“Bond Counsel”), for its services in connection with the issuance of

the Bonds. The Engagement Letter details the attorney-client relationship to be entered into and the services to be provided by Bond Counsel in connection with the Bonds. The Governing Body hereby approves and authorizes the County Mayor to accept the Engagement Letter, and all actions heretofore taken by the officers of the County in that regard are hereby ratified and approved.

Section 4. Authorization and Terms of the Bonds.

(a) For the purpose of providing funds, in whole or in part, to (a) finance the (i) cost of the Projects and (ii) reimbursement to the appropriate fund of the County for prior expenditures for the foregoing costs, if applicable; and (b) pay costs incident to the issuance and sale of the Bonds, there is hereby authorized to be issued bonds, in one or more series, of the County in the aggregate principal amount of not to exceed \$50,000,000. The Bonds shall be issued in one or more series, in fully registered, book-entry form (except as otherwise set forth herein), without coupons, and subject to the adjustments permitted hereunder, shall be known as “General Obligation Bonds”, shall be dated their date of issuance, and shall have such series designation or such other dated date as shall be determined by the County Mayor pursuant to the terms hereof. The Bonds shall bear interest at a rate or rates not to exceed the maximum rate permitted by applicable Tennessee law at the time of issuance of the Bonds, or any series thereof, payable (subject to the adjustments permitted hereunder) semi-annually on June 1 and December 1 in each year, commencing June 1, 2024. The Bonds shall be issued initially in \$5,000 denominations or integral multiples thereof, as shall be requested by the original purchaser thereof. Subject to the adjustments permitted pursuant to the terms hereof, the Bonds shall mature serially or be subject to mandatory redemption and shall be payable on June 1 of each year, subject to prior optional redemption as hereinafter provided, in the years 2026 through 2044, inclusive; provided, however, such amortization may be adjusted in accordance with the terms hereof. Notwithstanding anything herein to the contrary and as permitted pursuant to Section 8 hereof, the Bonds authorized herein may be issued in one or more series with principal and interest of each such series payable on such dates and in such amounts and subject to earlier redemption all upon the terms provided herein.

(b) Subject to the adjustments permitted under Section 8 hereof, the Bonds shall be subject to redemption prior to maturity at the option of the County on June 1, 2033 and thereafter, as a whole or in part at any time at the redemption price of par plus accrued interest to the redemption date.

If less than all the Bonds shall be called for redemption, the maturities to be redeemed shall be selected by the Governing Body in its discretion. If less than all of the Bonds within a single maturity shall be called for redemption, the interests within the maturity to be redeemed shall be selected as follows:

(i) if the Bonds are being held under a Book-Entry System by DTC, or a successor Depository, the Bonds to be redeemed shall be determined by DTC, or such successor Depository, by lot or such other manner as DTC, or such successor Depository, shall determine; or

(ii) if the Bonds are not being held under a Book-Entry System by DTC, or a successor Depository, the Bonds within the maturity to be redeemed shall be selected by the Registration Agent by lot or such other random manner as the Registration Agent in its discretion shall determine.

(c) Pursuant to the terms hereof, the County Mayor is authorized to sell the Bonds, or any maturities thereof, as term bonds (“Term Bonds”) with mandatory redemption requirements corresponding to the maturities set forth herein or as determined by the County Mayor. In the event any or all the Bonds are sold as Term Bonds, the County shall redeem Term Bonds on redemption dates corresponding to the maturity dates set forth herein, in aggregate principal amounts equal to the maturity amounts established pursuant to the terms hereof for each redemption date, as such maturity amounts may be adjusted pursuant

to the terms hereof, at a price of par plus accrued interest thereon to the date of redemption. The Term Bonds to be redeemed within a single maturity shall be selected as provided in subsection (b) above.

At its option, to be exercised on or before the forty-fifth (45th) day next preceding any such mandatory redemption date, the County may (i) deliver to the Registration Agent for cancellation Bonds to be redeemed, in any aggregate principal amount desired, and/or (ii) receive a credit in respect of its redemption obligation under this mandatory redemption provision for any Bonds of the maturity to be redeemed which prior to said date have been purchased or redeemed (otherwise than through the operation of this mandatory sinking fund redemption provision) and cancelled by the Registration Agent and not theretofore applied as a credit against any redemption obligation under this mandatory sinking fund provision. Each Bond so delivered or previously purchased or redeemed shall be credited by the Registration Agent at 100% of the principal amount thereof on the obligation of the County on such payment date and any excess shall be credited on future redemption obligations in chronological order, and the principal amount of Bonds to be redeemed by operation of this mandatory sinking fund provision shall be accordingly reduced. The County shall on or before the forty-fifth (45th) day next preceding each payment date furnish the Registration Agent with its certificate indicating whether or not and to what extent the provisions of clauses (i) and (ii) of this subsection are to be availed of with respect to such payment and confirm that funds for the balance of the next succeeding prescribed payment will be paid on or before the next succeeding payment date.

Notice of any call for redemption shall be given by the Registration Agent on behalf of the County not less than twenty (20) nor more than sixty (60) days prior to the date fixed for redemption by sending an appropriate notice to the registered owners of the Bonds to be redeemed by first-class mail, postage prepaid, at the addresses shown on the Bond registration records of the Registration Agent as of the date of the notice; but neither failure to mail such notice nor any defect in any such notice so mailed shall affect the sufficiency of the proceedings for redemption of any of the Bonds for which proper notice was given. The notice may state that it is conditioned upon the deposit of moneys in an amount equal to the amount necessary to effect the redemption with the Registration Agent no later than the redemption date ("Conditional Redemption"). As long as DTC, or a successor Depository, is the registered owner of the Bonds, all redemption notices shall be mailed by the Registration Agent to DTC, or such successor Depository, as the registered owner of the Bonds, as and when above provided, and neither the County nor the Registration Agent shall be responsible for mailing notices of redemption to DTC Participants or Beneficial Owners. Failure of DTC, or any successor Depository, to provide notice to any DTC Participant or Beneficial Owner will not affect the validity of such redemption. The Registration Agent shall mail said notices as and when directed by the County pursuant to written instructions from an authorized representative of the County (other than for a mandatory sinking fund redemption, notices of which shall be given on the dates provided herein) given at least forty-five (45) days prior to the redemption date (unless a shorter notice period shall be satisfactory to the Registration Agent). From and after the redemption date, all Bonds called for redemption shall cease to bear interest if funds are available at the office of the Registration Agent for the payment thereof and if notice has been duly provided as set forth herein. In the case of a Conditional Redemption, the failure of the County to make funds available in part or in whole on or before the redemption date shall not constitute an event of default, and the Registration Agent shall give immediate notice to the Depository, if applicable, or the affected Bondholders that the redemption did not occur and that the Bonds called for redemption and not so paid remain outstanding.

(d) The Governing Body hereby authorizes and directs the County Mayor to appoint the Registration Agent for the Bonds and hereby authorizes the Registration Agent so appointed to maintain Bond registration records with respect to the Bonds, to authenticate and deliver the Bonds as provided herein, either at original issuance or upon transfer, to effect transfers of the Bonds, to give all notices of redemption as required herein, to make all payments of principal and interest with respect to the Bonds as provided herein, to cancel and destroy Bonds which have been paid at maturity or upon earlier redemption or submitted for exchange or transfer, to furnish the County at least annually a certificate of destruction

with respect to Bonds cancelled and destroyed, and to furnish the County at least annually an audit confirmation of Bonds paid, Bonds outstanding and payments made with respect to interest on the Bonds. The County Mayor is hereby authorized to execute and the County Clerk is hereby authorized to attest such written agreement between the County and the Registration Agent as they shall deem necessary and proper with respect to the obligations, duties and rights of the Registration Agent. The payment of all reasonable fees and expenses of the Registration Agent for the discharge of its duties and obligations hereunder or under any such agreement is hereby authorized and directed.

(e) The Bonds shall be payable, both principal and interest, in lawful money of the United States of America at the main office of the Registration Agent. The Registration Agent shall make all interest payments with respect to the Bonds by check or draft on each interest payment date directly to the registered owners as shown on the Bond registration records maintained by the Registration Agent as of the close of business on the fifteenth day of the month next preceding the interest payment date (the "Regular Record Date") by depositing said payment in the United States mail, postage prepaid, addressed to such owners at their addresses shown on said Bond registration records, without, except for final payment, the presentation or surrender of such registered Bonds, and all such payments shall discharge the obligations of the County in respect of such Bonds to the extent of the payments so made. Payment of principal of and premium, if any, on the Bonds shall be made upon presentation and surrender of such Bonds to the Registration Agent as the same shall become due and payable. All rates of interest specified herein shall be computed on the basis of a three hundred sixty (360) day year composed of twelve (12) months of thirty (30) days each. In the event the Bonds are no longer registered in the name of DTC, or a successor Depository, if requested by the Owner of at least \$1,000,000 in aggregate principal amount of the Bonds, payment of interest on such Bonds shall be paid by wire transfer to a bank within the continental United States or deposited to a designated account if such account is maintained with the Registration Agent and written notice of any such election and designated account is given to the Registration Agent prior to the record date.

(f) Any interest on any Bond that is payable but is not punctually paid or duly provided for on any interest payment date (hereinafter "Defaulted Interest") shall forthwith cease to be payable to the registered owner on the relevant Regular Record Date; and, in lieu thereof, such Defaulted Interest shall be paid by the County to the persons in whose names the Bonds are registered at the close of business on a date (the "Special Record Date") for the payment of such Defaulted Interest, which shall be fixed in the following manner: the County shall notify the Registration Agent in writing of the amount of Defaulted Interest proposed to be paid on each Bond and the date of the proposed payment, and at the same time the County shall deposit with the Registration Agent an amount of money equal to the aggregate amount proposed to be paid in respect of such Defaulted Interest or shall make arrangements satisfactory to the Registration Agent for such deposit prior to the date of the proposed payment, such money when deposited to be held in trust for the benefit of the persons entitled to such Defaulted Interest as in this Section provided. Thereupon, not less than ten (10) days after the receipt by the Registration Agent of the notice of the proposed payment, the Registration Agent shall fix a Special Record Date for the payment of such Defaulted Interest which date shall be not more than fifteen (15) nor less than ten (10) days prior to the date of the proposed payment to the registered Owners. The Registration Agent shall promptly notify the County of such Special Record Date and, in the name and at the expense of the County, not less than ten (10) days prior to such Special Record Date, shall cause notice of the proposed payment of such Defaulted Interest and the Special Record Date therefor to be mailed, first-class postage prepaid, to each registered owner at the address thereof as it appears in the Bond registration records maintained by the Registration Agent as of the date of such notice. Nothing contained in this Section or in the Bonds shall impair any statutory or other rights in law or in equity of any registered owner arising as a result of the failure of the County to punctually pay or duly provide for the payment of principal of, premium, if any, and interest on the Bonds when due.

(g) The Bonds are transferable only by presentation to the Registration Agent by the registered owner, or his legal representative duly authorized in writing, of the registered Bond(s) to be transferred with the form of assignment on the reverse side thereof completed in full and signed with the name of the registered owner as it appears upon the face of the Bond(s) accompanied by appropriate documentation necessary to prove the legal capacity of any legal representative of the registered owner. Upon receipt of the Bond(s) in such form and with such documentation, if any, the Registration Agent shall issue a new Bond or the Bond to the assignee(s) in \$5,000 denominations, or integral multiples thereof, as requested by the registered owner requesting transfer. The Registration Agent shall not be required to transfer or exchange any Bond during the period commencing on a Regular or Special Record Date and ending on the corresponding interest payment date of such Bond, nor to transfer or exchange any Bond after the publication of notice calling such Bond for redemption has been made, nor to transfer or exchange any Bond during the period following the receipt of instructions from the County to call such Bond for redemption; provided, the Registration Agent, at its option, may make transfers after any of said dates. No charge shall be made to any registered owner for the privilege of transferring any Bond, provided that any transfer tax relating to such transaction shall be paid by the registered owner requesting transfer. The person in whose name any Bond shall be registered shall be deemed and regarded as the absolute owner thereof for all purposes and neither the County nor the Registration Agent shall be affected by any notice to the contrary whether or not any payments due on the Bonds shall be overdue. The Bonds, upon surrender to the Registration Agent, may, at the option of the registered owner, be exchanged for an equal aggregate principal amount of the Bonds of the same maturity in any authorized denomination or denominations.

(h) The Bonds shall be executed in such manner as may be prescribed by applicable law, in the name, and on behalf, of the County with the signature of the County Mayor and the attestation of the County Clerk.

(i) Except as otherwise provided in this resolution, the Bonds shall be registered in the name of Cede & Co., as nominee of DTC, which will act as securities depository for the Bonds. References in this Section to a Bond or the Bonds shall be construed to mean the Bond or the Bonds that are held under the Book-Entry System. One Bond for each maturity shall be issued to DTC and immobilized in its custody or a custodian of DTC. The Registration Agent will be a custodian and agent for DTC, and the Bonds will be immobilized in its custody. A Book-Entry System shall be employed, evidencing ownership of the Bonds in authorized denominations, with transfers of beneficial ownership effected on the records of DTC and the DTC Participants pursuant to rules and procedures established by DTC.

Each DTC Participant shall be credited in the records of DTC with the amount of such DTC Participant's interest in the Bonds. Beneficial ownership interests in the Bonds may be purchased by or through DTC Participants. The holders of these beneficial ownership interests are hereinafter referred to as the "Beneficial Owners." The Beneficial Owners shall not receive the Bonds representing their beneficial ownership interests. The ownership interests of each Beneficial Owner shall be recorded through the records of the DTC Participant from which such Beneficial Owner purchased its Bonds. Transfers of ownership interests in the Bonds shall be accomplished by book entries made by DTC and, in turn, by DTC Participants acting on behalf of Beneficial Owners. SO LONG AS CEDE & CO., AS NOMINEE FOR DTC, IS THE REGISTERED OWNER OF THE BONDS, THE REGISTRATION AGENT SHALL TREAT CEDE & CO. AS THE ONLY HOLDER OF THE BONDS FOR ALL PURPOSES UNDER THIS RESOLUTION, INCLUDING RECEIPT OF ALL PRINCIPAL OF, PREMIUM, IF ANY, AND INTEREST ON THE BONDS, RECEIPT OF NOTICES, VOTING AND REQUESTING OR DIRECTING THE REGISTRATION AGENT TO TAKE OR NOT TO TAKE, OR CONSENTING TO, CERTAIN ACTIONS UNDER THIS RESOLUTION.

Payments of principal, interest, and redemption premium, if any, with respect to the Bonds, so long as DTC is the only owner of the Bonds, shall be paid by the Registration Agent directly to DTC or its nominee, Cede & Co., as provided in the Letter of Representation relating to the Bonds from the County

and the Registration Agent to DTC (the "Letter of Representation"). DTC shall remit such payments to DTC Participants, and such payments thereafter shall be paid by DTC Participants to the Beneficial Owners. The County and the Registration Agent shall not be responsible or liable for payment by DTC or DTC Participants for sending transaction statements or for maintaining, supervising or reviewing records maintained by DTC or DTC Participants.

In the event that (1) DTC determines not to continue to act as securities depository for the Bonds, or (2) the County determines that the continuation of the Book-Entry System of evidence and transfer of ownership of the Bonds would adversely affect their interests or the interests of the Beneficial Owners of the Bonds, then the County shall discontinue the Book-Entry System with DTC or, upon request of such original purchaser, deliver the Bonds to the original purchaser in the form of fully-registered Bonds, as the case may be. If the County fails to identify another qualified securities depository to replace DTC, the County shall cause the Registration Agent to authenticate and deliver replacement Bonds in the form of fully-registered Bonds to each Beneficial Owner. If the purchaser(s) certifies that it intends to hold the Bonds for its own account, then the County may issue certificated Bonds without the utilization of DTC and the Book-Entry System.

THE COUNTY AND THE REGISTRATION AGENT SHALL NOT HAVE ANY RESPONSIBILITY OR OBLIGATIONS TO ANY PARTICIPANT OR ANY BENEFICIAL OWNER WITH RESPECT TO (i) THE BONDS; (ii) THE ACCURACY OF ANY RECORDS MAINTAINED BY DTC OR ANY DTC PARTICIPANT; (iii) THE PAYMENT BY DTC OR ANY DTC PARTICIPANT OF ANY AMOUNT DUE TO ANY BENEFICIAL OWNER IN RESPECT OF THE PRINCIPAL OF AND INTEREST ON THE BONDS; (iv) THE DELIVERY OR TIMELINESS OF DELIVERY BY DTC OR ANY DTC PARTICIPANT OF ANY NOTICE DUE TO ANY BENEFICIAL OWNER THAT IS REQUIRED OR PERMITTED UNDER THE TERMS OF THIS RESOLUTION TO BE GIVEN TO BENEFICIAL OWNERS; (v) THE SELECTION OF BENEFICIAL OWNERS TO RECEIVE PAYMENTS IN THE EVENT OF ANY PARTIAL REDEMPTION OF THE BONDS; OR (vi) ANY CONSENT GIVEN OR OTHER ACTION TAKEN BY DTC OR ITS NOMINEE, CEDE & CO., AS OWNER.

(j) The Registration Agent is hereby authorized to take such action as may be necessary from time to time to qualify and maintain the Bonds for deposit with DTC, including but not limited to, wire transfers of interest and principal payments with respect to the Bonds, utilization of electronic book entry data received from DTC in place of actual delivery of Bonds and provision of notices with respect to Bonds registered by DTC (or any of its designees identified to the Registration Agent) by overnight delivery, courier service, telegram, telecopy or other similar means of communication. No such arrangements with DTC may adversely affect the interest of any of the owners of the Bonds; provided, however, that the Registration Agent shall not be liable with respect to any such arrangements it may make pursuant to this Section.

(k) The Registration Agent is hereby authorized to authenticate and deliver the Bonds to the original purchaser, upon receipt by the County of the proceeds of the sale thereof and to authenticate and deliver Bonds in exchange for Bonds of the same principal amount delivered for transfer upon receipt of the Bond(s) to be transferred in proper form with proper documentation as hereinabove described. The Bonds shall not be valid for any purpose unless authenticated by the Registration Agent by the manual signature of an officer thereof on the certificate set forth herein on the Bond form.

(l) In case any Bond shall become mutilated, or be lost, stolen, or destroyed, the County, in its discretion, shall issue, and the Registration Agent, upon written direction from the County, shall authenticate and deliver, a new Bond of like tenor, amount, maturity and date, in exchange and substitution for, and upon the cancellation of, the mutilated Bond, or in lieu of and in substitution for such lost, stolen or destroyed Bond, or if any such Bond shall have matured or shall be able to mature, instead of issuing a

substituted Bond the County may pay or authorize payment of such Bond without surrender thereof. In every case, the applicant shall furnish evidence satisfactory to the County and the Registration Agent of the destruction, theft or loss of such Bond, and indemnify satisfactory to the County and the Registration Agent; and the County may charge the applicant for the issue of such new Bond an amount sufficient to reimburse the County for the expense incurred by it in the issue thereof.

Section 5. Source of Payment. The Bonds shall be payable from unlimited ad valorem taxes to be levied on all taxable property within the County. For the prompt payment of the principal of, premium, if any, and interest on the Bonds, the full faith and credit of the County are hereby irrevocably pledged.

Section 6. Form of Bonds. The Bonds shall be in substantially the following form, the omissions to be appropriately completed when the Bonds are prepared and delivered:

(Form of Bond)

REGISTERED
Number _____

REGISTERED
\$ _____

UNITED STATES OF AMERICA
STATE OF TENNESSEE
COUNTY OF MONTGOMERY
GENERAL OBLIGATION BOND, SERIES [2023B]

Interest Rate:

Maturity Date:

Date of Bond:

CUSIP No.:

Registered Owner:

Principal Amount:

FOR VALUE RECEIVED, Montgomery County, Tennessee (the "County") hereby promises to pay to the registered owner hereof, hereinabove named, or registered assigns, in the manner hereinafter provided, the principal amount hereinabove set forth on the maturity date hereinabove set forth (or upon earlier redemption as set forth herein), and to pay interest (computed on the basis of a 360-day year of twelve 30-day months) on said principal amount at the annual rate interest hereinabove set forth from the date hereof until said maturity date or redemption date, said interest being payable on [June 1, 2024], and semi-annually thereafter on the first day of June and December in each year until this Bond matures or is redeemed. The principal hereof and interest hereon are payable in lawful money of the United States of America by check or draft at the principal corporate trust office of _____, _____, as registration and agent and paying agent (the "Registration Agent"). The Registration Agent shall make all interest payments with respect to this Bond on each interest payment date directly to the registered owner hereof shown on the Bond registration records maintained by the Registration Agent as of the close of business on the fifteenth day of the month next preceding the interest payment date (the "Regular Record Date") by check or draft mailed to such owner at such owner's address shown on said Bond registration records, without, except for final payment, the presentation or surrender of this Bond, and all such payments shall discharge the obligations of the County to the extent of the payments so made. Any such interest not so punctually paid or duly provided for on any interest payment date shall forthwith cease to be payable to the registered owner on the relevant Regular Record Date; and, in lieu thereof, such defaulted interest shall be payable to the person in whose name this Bond is registered at the close of business on the date (the "Special Record Date") for payment of such defaulted interest to be fixed by the Registration Agent, notice of which shall be given to the owners of the Bonds of the issue of which this Bond is one not less than ten (10) days prior to such Special Record Date. Payment of

principal of [and premium, if any, on] this Bond shall be made when due upon presentation and surrender of this Bond to the Registration Agent.

Except as otherwise provided herein or in the Resolution, as hereinafter defined, this Bond shall be registered in the name of Cede & Co., as nominee of The Depository Trust Company, New York, New York ("DTC"), which will act as securities depository for the Bonds of the series of which this Bond is one. One Bond for each maturity of the Bonds shall be issued to DTC and immobilized in its custody. A book-entry system shall be employed, evidencing ownership of the Bonds in \$5,000 denominations, or multiples thereof, with transfers of beneficial ownership effected on the records of DTC and the DTC Participants, as defined in the Resolution, pursuant to rules and procedures established by DTC. So long as Cede & Co., as nominee for DTC, is the registered owner of the Bonds, the County and the Registration Agent shall treat Cede & Co. as the only owner of the Bonds for all purposes under the Resolution, including receipt of all principal and maturity amounts of, premium, if any, and interest on the Bonds, receipt of notices, voting and requesting or taking or not taking, or consenting to, certain actions hereunder. Payments of principal, maturity amounts, interest, and redemption premium, if any, with respect to the Bonds, so long as DTC is the only owner of the Bonds, shall be paid directly to DTC or its nominee, Cede & Co. DTC shall remit such payments to DTC Participants, and such payments thereafter shall be paid by DTC Participants to the Beneficial Owners, as defined in the Resolution. Neither the County nor the Registration Agent shall be responsible or liable for payment by DTC or DTC Participants, for sending transaction statements or for maintaining, supervising or reviewing records maintained by DTC or DTC Participants. In the event that (1) DTC determines not to continue to act as securities depository for the Bonds or (2) the County determines that the continuation of the book-entry system of evidence and transfer of ownership of the Bonds would adversely affect its interests or the interests of the Beneficial Owners of the Bonds, the County may discontinue the book-entry system with DTC. If the County fails to identify another qualified securities depository to replace DTC, the County shall cause the Registration Agent to authenticate and deliver replacement Bonds in the form of fully-registered Bonds to each Beneficial Owner. Neither the County nor the Registration Agent shall have any responsibility or obligations to DTC Participant or any Beneficial Owner with respect to (i) the Bonds; (ii) the accuracy or any records maintained by DTC or any DTC Participant; (iii) the payment by DTC or any DTC Participant of any amount due to any Beneficial Owner in respect of the principal or maturity amounts of and interest on the Bonds; (iv) the delivery or timeliness of delivery by DTC or any DTC Participant of any notice due to any Beneficial Owner that is required or permitted under the terms of the Resolution to be given to Beneficial Owners; (v) the selection of Beneficial Owners to receive payments in the event of any partial redemption of the Bonds; or (vi) any consent given or other action taken by DTC, or its nominee, Cede & Co., as owner.

[Bonds of the issue of which this Bond is one shall be subject to redemption prior to maturity at the option of the County on June 1, 2033 and thereafter, as a whole or in part at any time at the redemption price of par plus accrued interest to the redemption date.]

If less than all the Bonds shall be called for redemption, the maturities to be redeemed shall be designated by the Board of County Commissioners of the County, in its discretion. If less than all the principal amount of the Bonds of a maturity shall be called for redemption, the interests within the maturity to be redeemed shall be selected as follows:

- (i) if the Bonds are being held under a Book-Entry System by DTC, or a successor Depository, the amount of the interest of each DTC Participant in the Bonds to be redeemed shall be determined by DTC, or such successor Depository, by lot or such other manner as DTC, or such successor Depository, shall determine; or
- (ii) if the Bonds are not being held under a Book-Entry System by DTC, or a successor Depository, the Bonds within the maturity to be redeemed shall be selected by the Registration

Agent by lot or such other random manner as the Registration Agent in its discretion shall determine.

[Subject to the credit hereinafter provided, the County shall redeem Bonds maturing _____ on the redemption dates set forth below opposite the maturity dates, in aggregate principal amounts equal to the respective dollar amounts set forth below opposite the respective redemption dates at a price of par plus accrued interest thereon to the date of redemption. DTC, as securities depository for the series of Bonds of which this Bond is one, or such Person as shall then be serving as the securities depository for the Bonds, shall determine the interest of each Participant in the Bonds to be redeemed using its procedures generally in use at that time. If DTC or another securities depository is no longer serving as securities depository for the Bonds, the Bonds to be redeemed within a maturity shall be selected by the Registration Agent by lot or such other random manner as the Registration Agent in its discretion shall select. The dates of redemption and principal amount of Bonds to be redeemed on said dates are as follows:

<u>Final Maturity</u>	<u>Redemption Date</u>	<u>Principal Amount of Bonds Redeemed</u>
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***Final Maturity**

At its option, to be exercised on or before the forty-fifth (45th) day next preceding any such redemption date, the County may (i) deliver to the Registration Agent for cancellation Bonds to be redeemed, in any aggregate principal amount desired, and/or (ii) receive a credit in respect of its redemption obligation under this mandatory redemption provision for any Bonds of the maturity to be redeemed which prior to said date have been purchased or redeemed (otherwise than through the operation of this mandatory sinking fund redemption provision) and cancelled by the Registration Agent and not theretofore applied as a credit against any redemption obligation under this mandatory sinking fund provision. Each Bond so delivered or previously purchased or redeemed shall be credited by the Registration Agent at 100% of the principal amount thereof on the obligation of the County on such payment date and any excess shall be credited on future redemption obligations in chronological order, and the principal amount of Bonds to be redeemed by operation of this mandatory sinking fund provision shall be accordingly reduced. The County shall on or before the forty-fifth (45th) day next preceding each payment date furnish the Registration Agent with its certificate indicating whether or not and to what extent the provisions of clauses (i) and (ii) of this subsection are to be availed of with respect to such payment and confirm that funds for the balance of the next succeeding prescribed payment will be paid on or before the next succeeding payment date.]

Notice of any call for redemption shall be given by the Registration Agent not less than twenty (20) nor more than sixty (60) days prior to the date fixed for redemption by sending an appropriate notice to the registered owners of the Bonds to be redeemed by first-class mail, postage prepaid, at the addresses shown on the Bond registration records of the Registration Agent as of the date of the notice; but neither failure to mail such notice nor any defect in any such notice so mailed shall affect the sufficiency of the proceedings for the redemption of any of the Bonds for which proper notice was given. The notice may state that it is conditioned upon the deposit of moneys in an amount equal to the amount necessary to effect the redemption with the Registration Agent no later than the redemption date ("Conditional Redemption"). As long as DTC, or a successor Depository, is the registered owner of the Bonds, all redemption notices shall be mailed by the Registration Agent to DTC, or such successor Depository, as the registered owner of the

Bonds, as and when above provided, and neither the County nor the Registration Agent shall be responsible for mailing notices of redemption to DTC Participants or Beneficial Owners. Failure of DTC, or any successor Depository, to provide notice to any DTC Participant will not affect the validity of such redemption. From and after any redemption date, all Bonds called for redemption shall cease to bear interest if funds are available at the office of the Registration Agent for the payment thereof and it notice has been duly provided as set forth in the Resolution, as hereafter defined. In the case of a Conditional Redemption, the failure of the County to make funds available in part or in whole on or before the redemption date shall not constitute an event of default, and the Registration Agent shall give immediate notice to the [Depository or the] affected Bondholders that the redemption did not occur and that the Bond called for redemption and not so paid remain outstanding.

This Bond is transferable by the registered owner hereof in person or by such owner's attorney duly authorized in writing at the principal corporate trust office of the Registration Agent set forth on the front side hereof, but only in the manner, subject to limitations and upon payment of the charges provided in the Resolution, as hereafter defined, and upon surrender and cancellation of this Bond. Upon such transfer, a new Bond or Bonds of authorized denominations of the same maturity and interest rate for the same aggregate principal amount will be issued to the transferee in exchange therefor. The person in whose name this Bond is registered shall be deemed and regarded as the absolute owner thereof for all purposes and neither the County nor the Registration Agent shall be affected by any notice to the contrary whether or not any payments due on the Bond shall be overdue. Bonds, upon surrender to the Registration Agent, may, at the option of the registered owner thereof, be exchanged for an equal aggregate principal amount of the Bonds of the same maturity in authorized denomination or denominations, upon the terms set forth in the Resolution. The Registration Agent shall not be required to transfer or exchange any Bond during the period commencing on a Regular Record Date or Special Record Date and ending on the corresponding interest payment date of such Bond, nor to transfer or exchange any Bond after the notice calling such Bond for redemption has been made, nor during a period following the receipt of instructions from the County to call such Bond for redemption.

This Bond is one of a total authorized issue aggregating [\$ _____] and issued by the County for the purpose of financing, in whole or in part, the (a) acquisition, design, site development, construction, maintenance, repair, renovation, equipping and/or improvement of (i) public buildings and facilities, including but not limited to schools and school facilities; (ii) plazas, streets, roads and bridges, including but not limited to sidewalks, signage, signalization, related facilities, lighting, culverts and drainage improvements; (iii) equipment, including vehicles; (iv) public art; and (v) all property, real and personal, related to the foregoing; (b) legal, fiscal, administrative, architectural and engineering costs incident to any or all of the foregoing; (c) reimbursement to the appropriate fund of the County for prior expenditures for the foregoing costs; and (d) costs incident to the issuance and sale of such bonds authorized, pursuant to Sections 9-21-101, *et seq.*, Tennessee Code Annotated, as amended, and pursuant to a resolution adopted by the Board of County Commissioners of the County on September 11, 2023 (the "Resolution").

The Bonds shall be payable from unlimited ad valorem taxes to be levied on all taxable property within the County. For the prompt payment of the principal of, premium, if any, and interest on the Bonds, the full faith and credit of the County are hereby irrevocably pledged.

This Bond and the income therefrom are exempt from all present state, county and municipal taxes in Tennessee except (a) Tennessee excise taxes on interest on the Bond during the period the Bond is held or beneficially owned by any organization or entity, other than a sole proprietorship or general partnership, doing business in the State of Tennessee and (b) Tennessee franchise taxes by reason of the inclusion of the book value of the Bond in Tennessee franchise tax base of any organization or entity, other than a sole proprietorship or general partnership, doing business in the State of Tennessee.

It is hereby certified, recited, and declared that all acts, conditions and things required to exist, happen and be performed precedent to and in the issuance of this Bond exist, have happened and have been performed in due time, form and manner as required by law, and that the amount of this Bond, together with all other indebtedness of the County, does not exceed any limitation prescribed by the constitution and statutes of the State of Tennessee.

IN WITNESS WHEREOF, the County has caused this Bond to be signed by its County Mayor and attested by its County Clerk under the corporate seal of the County, all as of the date hereinabove set forth.

MONTGOMERY COUNTY, TENNESSEE

By: Do Not Sign – Form of Bond
County Mayor

(SEAL)

ATTESTED:

Do Not Sign – Form of Bond
County Clerk

Transferable and payable at the
principal corporate trust office of:

_____, _____

Date of Registration: _____

This Bond is one of the issue of Bonds issued pursuant to the Resolution hereinabove described.

Registration Agent

By: Do Not Sign – Form of Bond
Authorized Officer

(FORM OF ASSIGNMENT)

FOR VALUE RECEIVED, the undersigned sells, assigns and transfers unto _____, whose address is _____ (Please insert Federal Identification or Social Security Number of Assignee _____), the within Bond of Montgomery County, Tennessee, and does hereby irrevocably constitute and appoint _____, attorney, to transfer the said Bond on the records kept for registration thereof with full power of substitution in the premises.

Dated: _____

NOTICE: The signature to this assignment must correspond with the name of the registered owner as it appears on the face of the within Bond in every particular, without alteration or enlargement or any change whatsoever.

Signature guaranteed:

NOTICE: Signature(s) must be guaranteed by a member firm of a Medallion Program acceptable to the Registration Agent

Section 7. Levy of Tax. The County, through its Governing Body, shall annually levy and collect a tax upon all taxable property within the County, in addition to all other taxes authorized by law, sufficient to pay principal of, premium, if any, and interest on the Bonds when due, and for that purpose there is hereby levied a direct annual tax in such amount as may be found necessary each year to pay principal and interest coming due on the Bonds in said year. Principal and interest falling due at any time when there are insufficient funds from this tax levy on hand shall be paid from the current funds of the County and reimbursement therefor shall be made out of the taxes hereby provided to be levied when the same shall have been collected. The tax herein provided may be reduced to the extent of any direct appropriations from other funds, taxes and revenues of the County to the payment of debt service on the Bonds.

Section 8. Sale of Bonds.

(a) The Bonds shall be offered for competitive public sale in one or more series, at a price of not less than 98% of par, plus accrued interest, as a whole or in part from time to time as shall be determined by the County Mayor, in consultation with the Municipal Advisor. The Bonds, or any series thereof, shall be sold by delivery of bids via physical delivery, mail, fax, email, or telephone or by electronic bidding means of an internet bidding service as shall be determined by the County Mayor, in consultation with the Municipal Advisor.

(b) If the Bonds are sold in more than one series, the County Mayor is authorized to cause to be sold in each series an aggregate principal amount of Bonds less than that shown in Section 4 hereof for each series, so long as the total aggregate principal amount of all series issued does not exceed the total aggregate of Bonds authorized to be issued herein.

(c) The County Mayor is further authorized with respect to each series of Bonds to:

(1) change the dated date of the Bonds, or any series thereof, to a date other than the date of issuance of the Bonds;

(2) change the designation of the Bonds, or any series thereof, to a designation other than "General Obligation Bonds" and to specify the series designation of the Bonds, or any series thereof;

(3) change the first interest payment date on the Bonds, or any series thereof, to a date other than June 1, 2024, provided that such date is not later than twelve months from the dated date of such series of Bonds;

(4) adjust the principal and interest payment dates and the maturity amounts of the Bonds, or any series thereof, provided that (A) the total principal amount of all series of the Bonds does not exceed the total amount of Bonds authorized herein; and (B) the final maturity date of each series is not later than twenty-five (25) years after the dated date of such series.

(5) adjust or remove the County's optional redemption provisions of the Bonds, provided that the premium amount to be paid on Bonds or any series thereof does not exceed two percent (2%) of the principal amount thereof;

(6) sell the Bonds, or any series thereof, or any maturities thereof as Term Bonds with mandatory redemption requirements corresponding to the maturities set forth herein or as otherwise determined by the County Mayor, as he shall deem most advantageous to the County; and

(7) cause all or a portion of the Bonds to be insured by a bond insurance policy issued by a nationally recognized bond insurance company if such insurance is requested and paid for by the winning bidder of the Bonds, or any series thereof.

The form of the Bond set forth in Section 6 hereof shall be conformed to reflect any changes made pursuant to this Section 8 hereof.

(d) The County Mayor is authorized to sell the Bonds, or any series thereof, simultaneously with any other bonds or notes authorized by resolution or resolutions of the Governing Body. The County Mayor is further authorized to sell the Bonds, or any series thereof, as a single issue of bonds with any other bonds with substantially similar terms authorized by resolution or resolutions of the Governing Body, in one or more series as the County Mayor shall deem to be advantageous to the County and in doing so, the County Mayor is authorized to change the designation of the Bonds to a designation other than "General Obligation Bonds"; provided, however, that the total aggregate principal amount of combined bonds to be sold does not exceed the total aggregate principal amount of Bonds authorized by this resolution or bonds authorized by any other resolution or resolutions adopted by the Governing Body.

(e) The County Mayor is authorized to award the Bonds, or any series thereof, in each case to the bidder whose bid results in the lowest true interest cost to the County, provided the rate or rates on the Bonds does not exceed the maximum rate prescribed by Section 4 hereof. The award of the Bonds by the County Mayor to the lowest bidder shall be binding on the County, and no further action of the Governing Body with respect thereto shall be required.

(f) The County Mayor and County Clerk are authorized to cause the Bonds, in book-entry form (except as otherwise permitted herein), to be authenticated and delivered by the Registration Agent to the successful bidder, and all officers of the County are authorized to execute, publish, and deliver all certificates and documents, including an official statement and closing certificates, as the County Mayor shall deem necessary or advisable in connection with the sale and delivery of the Bonds.

(g) To the extent required by applicable law, no Bonds shall be issued until publication of the Initial Resolution in a newspaper of general circulation in the County and the passage of twenty (20) days from the date of publication thereof, and in no event shall such Bonds be issued without prior referendum, to the extent required by applicable law, if a legally sufficient petition, as defined by Section 9-21-207, Tennessee Code Annotated, is filed within such twenty-day period.

(h) The County Mayor is hereby authorized to enter into an agreement with the Municipal Advisor to serve as Municipal Advisor to the County in connection with the Bonds, and all actions heretofore taken in this respect are hereby ratified and approved.

Section 9. Disposition of Bond Proceeds. The proceeds of the sale of each series of the Bonds shall be deposited with a financial institution regulated by the Federal Deposit Insurance Corporation or similar federal agency in one or more special funds known as the Montgomery County 2023B Construction Fund (the "Construction Fund") or such other designation as shall be determined by the County Mayor to be kept separate and apart from all other funds of the County. The County shall disburse funds in the Construction Fund to pay costs of issuance of the Bonds, including necessary legal, accounting and fiscal expenses, printing, engraving, advertising and similar expenses, administrative and clerical costs, Registration Agent fees, bond insurance premiums, if any, and other necessary miscellaneous expenses incurred in connection with the issuance and sale of the Bonds. Notwithstanding the foregoing, costs of issuance of the Bonds may be withheld from the good faith deposit or purchase price of the Bonds and paid to the Municipal Advisor to be used to pay costs of issuance of the Bonds. The remaining funds in the Construction Fund (the "Net Proceeds") shall be disbursed solely to pay the costs of the Projects and to reimburse the County for any funds previously expended for costs of the Projects. Not less than one-half percent (½%) of the Net Proceeds shall be used for the costs of Projects related to public art, including reimbursement to the County for any funds previously expended for costs of Projects related to public art. Money in the Construction Fund shall be secured in the manner prescribed by applicable statutes relative to the securing of public or trust funds, if any, or, in the absence of such a statute, by a pledge of readily marketable securities having at all times a market value of not less than the amount in said Construction Fund. Money in the Construction Fund shall be invested in such investments as shall be permitted by applicable law to the extent permitted by applicable law. Any funds remaining in the Construction Fund following completion of the Projects shall be used to pay debt service on the Bonds, subject to any modifications by the Governing Body and consultation with Bond Counsel.

In accordance with state law, the various department heads responsible for the fund or funds receiving and disbursing funds are hereby authorized to amend the budget of the proper fund or funds for the receipt of proceeds from the issuance of the Bonds authorized by this resolution, including bond proceeds, accrued interest, reoffering premium, and other receipts from this transaction. The department heads responsible for the fund or funds are further authorized to amend the proper budgets to reflect the appropriations and expenditures of the receipts authorized by this resolution.

Section 10. Official Statement. The officers of the County, or any of them, are hereby authorized and directed to provide for the preparation and distribution of a Preliminary Official Statement for each series of the Bonds for the purpose of describing such series. After bids have been received and the Bonds have been awarded, the officers of the County, or any of them, shall make such completions, omissions, insertions and changes in the Preliminary Official Statement not inconsistent with this resolution as are necessary or desirable to complete it as a final Official Statement for purposes of Rule 15c2-12(e)(3) of the Securities and Exchange Commission. The officers of the County, or any of them, shall arrange for the delivery to the successful bidder on the Bonds of a reasonable number of copies of the Official Statement within seven (7) business days after the Bonds have been awarded for delivery, by the successful bidder on the Bonds, to each potential investor requesting a copy of the Official Statement and to each person to whom such bidder and members of his bidding group initially sell the Bonds.

The officers of the County, or any of them, are authorized, on behalf of the County, to deem the Preliminary Official Statement and the Official Statement in final form, each to be final as of its date within the meaning of Rule 15c2-12(b)(1), except for the omission in the Preliminary Official Statement of certain pricing and other information allowed to be omitted pursuant to such Rule 15c2-12(b)(1). The distribution of the Preliminary Official Statement and the Official Statement in final form shall be conclusive evidence that each has been deemed in final form as of its date by the County except for the omission in the Preliminary Official Statement of such pricing and other information.

Notwithstanding the foregoing, no Official Statement is required to be prepared if the Bonds, or any series thereof, are purchased by a purchaser that certifies that such purchaser intends to hold the Bonds,

or any series thereof, for its own account and has no present intention to reoffer the Bonds, or any series thereof.

Section 11. Discharge and Satisfaction of Bonds. If the County shall pay and discharge the indebtedness evidenced by any series of the Bonds in any one or more of the following ways, to wit:

(a) By paying or causing to be paid, by deposit of sufficient funds as and when required with the Registration Agent, the principal of and interest on such Bonds as and when the same become due and payable;

(b) By depositing or causing to be deposited with any trust company or financial institution whose deposits are insured by the Federal Deposit Insurance Corporation or similar federal agency and which has trust powers (an "Agent"; which Agent may be the Registration Agent) in trust or escrow, on or before the date of maturity or redemption, sufficient money or Defeasance Obligations, as hereafter defined, the principal of and interest on which, when due and payable, will provide sufficient moneys to pay or redeem such Bonds and to pay interest thereon when due until the maturity or redemption date (provided, if such Bonds are to be redeemed prior to maturity thereof, proper notice of such redemption shall have been given or adequate provision shall have been made for the giving of such notice);

(c) By delivering such Bonds to the Registration Agent for cancellation by it;

and if the County shall also pay or cause to be paid all other sums payable hereunder by the County with respect to such Bonds, or make adequate provision therefor, and by resolution of the Governing Body instruct any such Agent to pay amounts when and as required to the Registration Agent for the payment of principal of and interest on such Bonds when due, then and in that case the indebtedness evidenced by such Bonds shall be discharged and satisfied and all covenants, agreements and obligations of the County to the holders of such Bonds shall be fully discharged and satisfied and shall thereupon cease, terminate and become void.

If the County shall pay and discharge the indebtedness evidenced by any of the Bonds in the manner provided in either clause (a) or clause (b) above, then the registered owners thereof shall thereafter be entitled only to payment out of the money or Defeasance Obligations deposited as aforesaid.

Except as otherwise provided in this Section, neither Defeasance Obligations nor moneys deposited with the Registration Agent pursuant to this Section nor principal or interest payments on any such Defeasance Obligations shall be withdrawn or used for any purpose other than, and shall be held in trust for, the payment of the principal and interest on said Bonds; provided that any cash received from such principal or interest payments on such Defeasance Obligations deposited with the Registration Agent, (A) to the extent such cash will not be required at any time for such purpose, shall be paid over to the County as received by the Registration Agent and (B) to the extent such cash will be required for such purpose at a later date, shall, to the extent practicable, be reinvested in Defeasance Obligations maturing at times and in amounts sufficient to pay when due the principal and interest to become due on said Bonds on or prior to such redemption date or maturity date thereof, as the case may be, and interest earned from such reinvestments shall be paid over to the County, as received by the Registration Agent. For the purposes of this Section, Defeasance Obligations shall mean direct obligations of, or obligations, the principal of and interest on which are guaranteed by, the United States of America, which bonds or other obligations shall not be subject to redemption prior to their maturity other than at the option of the registered owner thereof.

Section 12. Federal Tax Matters Related to the Bonds.

(a) The Bonds are expected to be issued as federally tax-exempt bonds. To that end, the County hereby covenants that it will not use, or permit the use of, any proceeds of the Bonds in a manner

that would cause the Bonds to be subjected to treatment under Section 148 of the Code, and applicable regulations thereunder, as an “arbitrage bond”. Further to that end, the County shall comply with applicable regulations adopted under said Section 148. To the extent applicable, the County further covenants with the registered owners from time to time of the Bonds that it will, throughout the term of the Bonds and through the date that the final rebate, if any, must be made to the United States in accordance with Section 148 of the Code, comply with the provisions of Sections 103 and 141 through 150 of the Code and all regulations proposed and promulgated thereunder that must be satisfied in order that interest on the Bonds shall be and continue to be excluded from gross income for federal income tax purposes under Section 103 of the Code.

(b) It is reasonably expected that the County will reimburse itself for certain expenditures made by it in connection with the Projects by issuing the Bonds. This resolution shall be placed in the minutes of the Governing Body and shall be made available for inspection by the general public at the office of the Governing Body. This resolution constitutes a declaration of official intent under Treas. Reg. §1.150-2.

(c) The appropriate officers of the County are authorized and directed, on behalf of the County, to execute and deliver all such certificates and documents and to adopt and follow such policies and procedures that may be required or advisable of the County in order to comply with the provisions of this Section related to the issuance of the Bonds.

Section 13. Continuing Disclosure. The County hereby covenants and agrees that it will provide annual financial information and event notices if and as required by Rule 15c2-12 of the Securities Exchange Commission for the Bonds. The County Mayor is authorized to execute at the closing of the sale of the Bonds an agreement for the benefit of and enforceable by the owners of the Bonds specifying the details of the financial information and event notices to be provided and its obligations relating thereto. Failure of the County to comply with the undertaking herein described and to be detailed in said closing agreement shall not be a default hereunder, but any such failure shall entitle the owner or owners of any of the Bonds to take such actions and to initiate such proceedings as shall be necessary and appropriate to cause the County to comply with their undertaking as set forth herein and in said agreement, including the remedies of mandamus and specific performance.

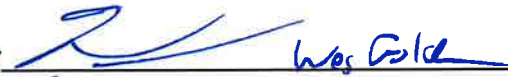
Section 14. Reasonably Expected Economic Life. The “reasonably expected economic life” of the Projects within the meaning of Sections 9-21-101, et seq., Tennessee Code Annotated, is greater than the term of the Bonds financing said Projects.

Section 15. Resolution a Contract. The provisions of this resolution shall constitute a contract between the County and the registered owners of the Bonds, and after the issuance of the Bonds, no change, variation or alteration of any kind in the provisions of this resolution shall be made in any manner until such time as the Bonds and interest due thereon shall have been paid in full.

Section 16. Separability. If any section, paragraph or provision of this resolution shall be held to be invalid or unenforceable for any reason, the invalidity or unenforceability of such section, paragraph or provision shall not affect any of the remaining provisions of this resolution.

Section 17. Repeal of Conflicting Resolutions and Effective Date. All other resolutions and orders, or parts thereof in conflict with the provisions of this resolution, are, to the extent of such conflict, hereby repealed and this resolution shall be in immediate effect from and after its adoption.

Duly passed and approved this 11th day of September, 2023.

Sponsor  Wes Golden

Commissioner 
Rashidah Leverett

Approved Wes Golden, County Mayor

Attested Teresa Cottrell, County Clerk

STATE OF TENNESSEE)

COUNTY OF MONTGOMERY)

I, Teresa Cottrell, certify that I am the duly qualified and acting County Clerk of Montgomery County, Tennessee, and as such official I further certify that attached hereto is a copy of excerpts from the minutes of a meeting of the governing body of the County held on September 11, 2023; that these minutes were promptly and fully recorded and are open to public inspection; that I have compared said copy with the original minute record of said meeting in my official custody; and that said copy is a true, correct and complete transcript from said original minute record insofar as said original record relates to the County's not to exceed \$50,000,000 general obligation bonds.

WITNESS my official signature and seal of said County on September 11, 2023.

County Clerk

(SEAL)

EXHIBIT A

Bond Counsel Engagement Letter

BASS, BERRY & SIMS PLC

September 11, 2023

Montgomery County, Tennessee
Office of the County Mayor
1 Millennium Plaza
Clarksville, TN 37040
Attention: County Mayor

Re: Issuance of Not to Exceed \$50,000,000 in Aggregate Principal Amount of General Obligation Bonds.

Dear County Mayor:

The purpose of this engagement letter is to set forth certain matters concerning the services we will perform as bond counsel to Montgomery County, Tennessee (the "Issuer"), in connection with the issuance of the above-referenced bonds (the "Bonds"). We understand that the Bonds are being issued for the purpose of providing funds necessary to finance projects as further described in a resolution authorizing the Bonds adopted on September 11, 2023 (the "Resolution") and to pay costs of issuance of the Bonds, as more fully set forth in the Resolution. We further understand that the Bonds will be sold by competitive sale.

SCOPE OF ENGAGEMENT

In this engagement, we expect to perform the following duties:

1. Subject to the completion of proceedings to our satisfaction, render our legal opinion (the Bond Opinion) regarding the validity and binding effect of the Bonds, the source of payment and security for the Bonds, and the excludability of interest on the Bonds from gross income for federal income tax purposes.
2. Prepare and review documents necessary or appropriate for the authorization, issuance and delivery of the Bonds, coordinate the authorization and execution of such documents, and review enabling legislation.
3. Assist the Issuer in seeking from other governmental authorities such approvals, permissions and exemptions as we determine are necessary or appropriate in connection with the authorization, issuance, and delivery of the Bonds, except that we will not be responsible for any required blue-sky filings.
4. Review legal issues relating to the structure of the Bond issue.
5. Draft those sections of the official statement to be disseminated in connection with the sale of the Bonds, describing the Bond Opinion, the terms of and security for the Bonds, and the treatment of the Bonds and interest thereon under state and federal tax law.

6. Assist the Issuer in presenting information to bond rating organizations and providers of credit enhancement relating to legal issues affecting the issuance of the Bonds, if requested.
7. Prepare and review the notice of sale pertaining to the competitive sale of the Bonds.

Our Bond Opinion will be addressed to the Issuer and will be delivered by us on the date the Bonds are exchanged for their purchase price (the "Closing").

The Bond Opinion will be based on facts and law existing as of its date. In rendering our Bond Opinion, we will rely upon the certified proceedings and other certifications of public officials and other persons furnished to us without undertaking to verify the same by independent investigation, and we will assume continuing compliance by the Issuer with applicable laws relating to the Bonds. During the course of this engagement, we will rely on you to provide us with complete and timely information on all developments pertaining to any aspect of the Bonds and their security. We understand that you will direct members of your staff and other employees of the Issuer to cooperate with us in this regard.

Our duties in this engagement are limited to those expressly set forth above. Among other things, our duties do not include:

- a. Except as described in paragraph (5) above,
 - 1) Assisting in the preparation or review of an official statement or any other disclosure document with respect to the Bonds, or
 - 2) Performing an independent investigation to determine the accuracy, completeness or sufficiency of any such document, or
 - 3) Rendering advice that the official statement or other disclosure documents
 - a) Do not contain any untrue statement of a material fact or
 - b) Do not omit to state a material fact necessary to make the statements contained therein, in light of the circumstances under which they were made, not misleading.
- b. Preparing requests for tax rulings from the Internal Revenue Service, or no action letters from the Securities and Exchange Commission.
- c. Preparing blue sky or investment surveys with respect to the Bonds.
- d. Drafting state constitutional or legislative amendments.
- e. Pursuing test cases or other litigation, (such as contested validation proceedings).
- f. Making an investigation or expressing any view as to the creditworthiness of the Issuer or the Bonds.
- g. Assisting in the preparation of, or opining on, any continuing disclosure undertaking pertaining to the Bonds or any other debt of the Issuer, or after

Closing, providing advice concerning any actions necessary to assure compliance with any continuing disclosure undertaking.

- h. Representing the Issuer in Internal Revenue Service examinations or inquiries, or Securities and Exchange Commission investigations.
- i. After Closing, providing continuing advice to the Issuer or any other party concerning any actions necessary to assure that interest paid on the Bonds will continue to be excludable from gross income for federal income tax purposes (e.g., our engagement does not include rebate calculations for the Bonds).
- j. Addressing any other matter not specifically set forth above that is not required to render our Bond Opinion.

ATTORNEY-CLIENT RELATIONSHIP

Upon execution of this engagement letter, the Issuer will be our client and an attorney-client relationship will exist between us. We assume that all other parties will retain such counsel as they deem necessary and appropriate to represent their interests in this transaction. We further assume that all other parties understand that in this transaction we represent only the Issuer, we are not counsel to any other party, and we are not acting as an intermediary among the parties. Our services as bond counsel are limited to those contracted for in this letter; the Issuer's execution of this engagement letter will constitute an acknowledgment of those limitations. Our representation of the Issuer will not affect, however, our responsibility to render an objective Bond Opinion. Please note that, in our representation of the Issuer, we will not act as a "municipal advisor", as such term is defined in the Securities Exchange Act of 1934, as amended.

Our representation of the Issuer and the attorney-client relationship created by this engagement letter will be concluded upon issuance of the Bonds. Nevertheless, subsequent to Closing, we will mail the appropriate Internal Revenue Service Forms 8038-G, and prepare and distribute to the participants in the transaction a transcript of the proceedings pertaining to the Bonds.

As you are aware, our firm represents many political subdivisions, companies and individuals. It is possible that during the time that we are representing the Issuer, one or more of our present or future clients will have transactions with the Issuer. It is also possible that we may be asked to represent, in an unrelated matter, one or more of the entities involved in the issuance of the Bonds. We do not believe such representation, if it occurs, will adversely affect our ability to represent you as provided in this letter, either because such matters will be sufficiently different from the issuance of the Bonds as to make such representations not adverse to our representation of you, or because the potential for such adversity is remote or minor and outweighed by the consideration that it is unlikely that advice given to the other client will be relevant to any aspect of the issuance of the Bonds. Acceptance of this letter will signify the Issuer's consent to our representation of others consistent with the circumstances described in this paragraph.

FEES

Based upon: (i) our current understanding of the terms, structure, size and schedule of the financing represented by the Bonds; (ii) the duties we will undertake pursuant to this engagement letter; (iii) the time we anticipate devoting to the financing; and (iv) the responsibilities we will assume in connection therewith, we estimate that our total fee will be \$48,000. Our fees may vary: (a) if the principal amount of Bonds actually issued differs significantly from the amounts stated above; (b) if material changes in the structure

or schedule of the respective financings occur; or (c) if unusual or unforeseen circumstances arise which require a significant increase in our time or responsibility. If, at any time, we believe that circumstances require an adjustment of our original fee estimates, we will advise you and prepare and provide to you an amendment to this engagement letter. Except for any newspaper publication fees, the bond counsel fee quoted above will include all ordinary out-of-pocket expenses advanced for your benefit, such as travel costs, photocopying, deliveries, long distance telephone charges, telecopier charges, filing fees, computer-assisted research and other expenses.

If, for any reason, the financing represented by the Bonds is completed without the delivery of our Bond Opinion as bond counsel or our services are otherwise terminated, we will expect to be compensated at our normal rates for the time actually spent on your behalf plus client charges as described above unless we have failed to meet our responsibilities under this engagement, but in no event will our fees exceed the amount set forth above.

RECORDS

At your request, papers and property furnished by you will be returned promptly upon receipt of payment for outstanding fees and client charges. All goods, documents, records, and other work product and property produced during the performance of this engagement are deemed to be Issuer's property. We agree to maintain documentation for all charges against the Issuer. Our books, records, and documents, insofar as they relate to work performed or money received under this engagement, shall be maintained for a period of three (3) full years from the Closing and will be subject to audit, at any reasonable time and upon reasonable notice by the Issuer or its duly appointed representatives.

OTHER MATTERS

We have not retained any persons to solicit or secure this engagement from the Issuer upon an agreement or understanding for a contingent commission, percentage, or brokerage fee. We have not offered any employee of the Issuer a gratuity or an offer of employment in connection with this engagement and no employee has requested or agreed to accept a gratuity or offer of employment in connection with this engagement.

Any modification or amendment to this Engagement Letter must be in writing, executed by us and contain the signature of the Issuer. The validity, construction and effect of this Engagement Letter and any and all extensions and/or modifications thereof shall be governed by the laws of the State of Tennessee. Any action between the parties arising from this Engagement Letter shall be maintained in the state or federal courts of Davidson County, Tennessee.

CONCLUSION

If the foregoing terms are not acceptable to you, please so indicate in writing. Otherwise, we look forward to working with you.

**RESOLUTION TO SELL A PORTION OF REAL PROPERTY LYING IN THE FIRST
CIVIL DISTRICT OF MONTGOMERY COUNTY, TENNESSEE, SHOWN
ON TAX MAP 010, PARCEL 037.01**

WHEREAS, Montgomery County, Tennessee, is the owner of certain real property of approximately 152 acres in the First Civil District of Montgomery County, Tennessee, and is proposing to sell and transfer the same in fee simple to Double J Partners; and

WHEREAS, Montgomery County, Tennessee, has been supplied a survey, legal description, and an appraisal identifying the portion of the property to be conveyed, a tract of approximately .71 acres as shown on Exhibit A, and described by a separate document in Exhibit A, said parcel with a market value of \$11,000.00; and

WHEREAS, the representation to Montgomery County has been that conveyance of this property is necessary to run and establish utility lines and service sufficient for more than one parcel in the area as well as to make available roadway for the area for all further and future development which would be beneficial to the interests of Montgomery County, Tennessee, and its citizens; and

WHEREAS, the consideration for the conveyance is good and adequate consideration and Montgomery County, Tennessee, through the Montgomery County Board of Commissioners, has the power pursuant to Tennessee Code Annotated § 5-7-101 to make disposition of its real property including but not limited to the sell and conveyance of this specific property; and


WHEREAS, the Montgomery County Board of Commissioners deem that the transaction described herein to sell, transfer, and convey a portion of the real property owned by Montgomery County, as shown on Exhibit A for the total sum of \$11,000.00, is prudent and in the best interests of Montgomery County, Tennessee.

NOW, THEREFORE, BE IT RESOLVED by the Montgomery County Board of Commissioners assembled in regular business session on this 11th day of September, 2023, that the

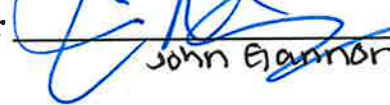
portion of the land owned by Montgomery County, Tennessee, as depicted on Exhibit A shall be conveyed to Double J Partners for the total sum of \$11,000.00, said conveyance to take place as soon as reasonably possible and the County Mayor is authorized to execute all documents necessary to complete the conveyance as described herein.

Duly passed and approved this 11th day of September, 2023.

Sponsor


Wes Golden

Commissioner


John Hannon

Approved

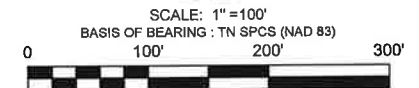
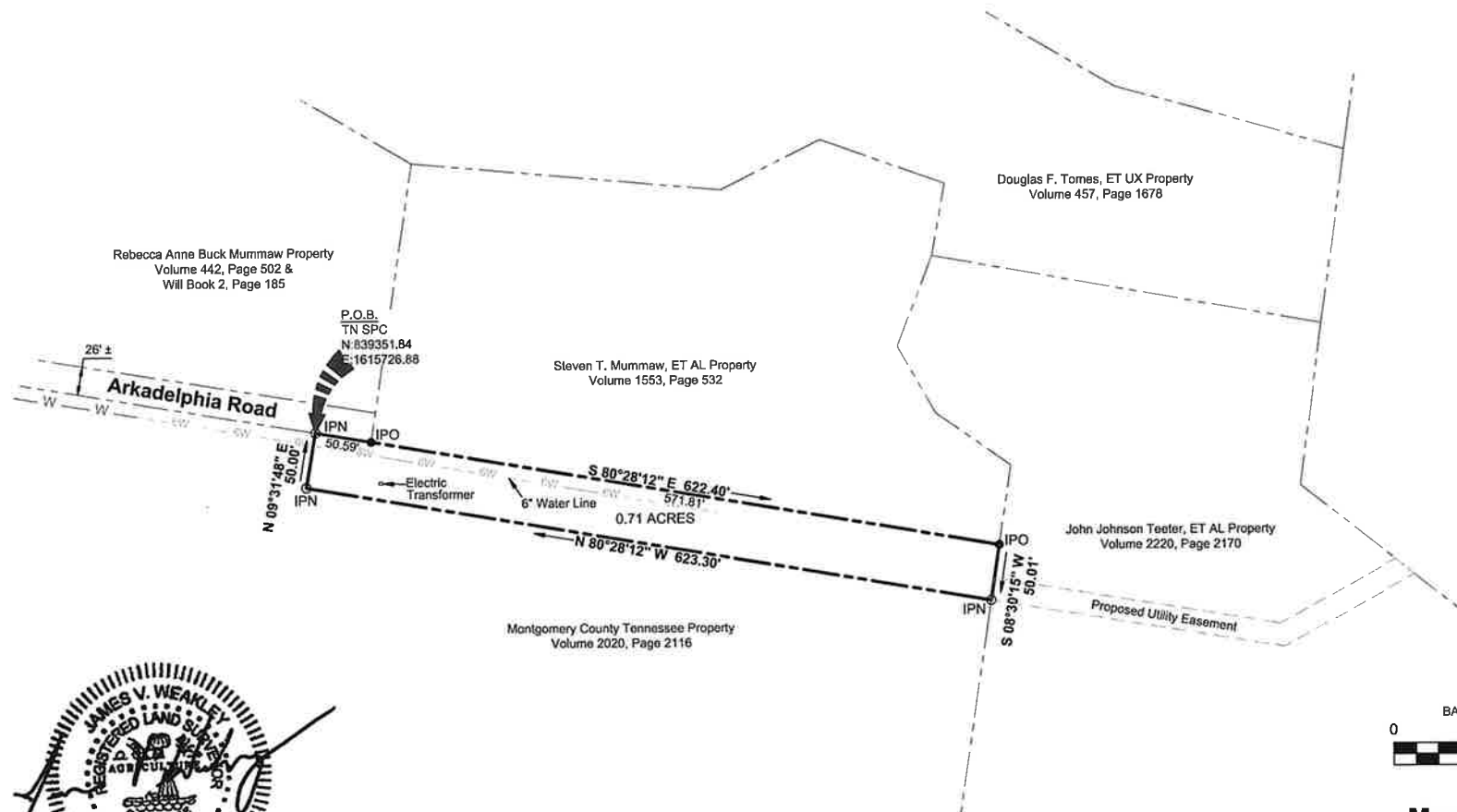
Wes Golden, County Mayor

Attest

Teresa Cottrell, County Clerk

Legend

IPO ●	Iron Pin Old
IPN ○	1/2" Ø Iron Pin New
Point ◇	Point
P.O.B.	Point of Beginning
Public Utility & Drainage Easement	P.U.D.E. ———
Minimum Building Setback Line	M.B.S.L. ———
Fence	— x — x —
Overhead Wire	— OHW —
Boundary Line	— — — — —



Property Survey For: Montgomery County, TN

Portion of Map 15, Parcel 10.00
Property Recorded in
Volume 2020, Page 2116
R. O. Montgomery County
Clarksville, Tennessee
1st Civil District



We hereby certify that this survey has been made using the recorded information shown, that there are no visible encroachments or projections observed other than those shown, and that this survey is correct to the best of my knowledge and belief. We hereby certify that this is a category I survey and that the ratio of precision of the unadjusted traverse is better than 1:10,000 as shown hereon.

WEAKLEY BROTHERS
ENGINEERING
(931) 648-9445
108 CENTER POINTE DRIVE
CLARKSVILLE, TN 37040

Date: 6-9-23
Job No.: 21-349
21349-rev2.dwg

Montgomery County Tennessee Property

Portion of:

Map 15, Parcel 10.00

Recorded in Volume 2020, Page 2116, R.O.M.C.T.

Also described as follows:

Beginning at a new iron pin in the south margin of Arkadelphia Road, said iron pin having Tennessee State Plane Coordinates (NAD 83) of North 839351.84 feet, East 1615726.88; thence along margin of said road and the south line of the Steven T. Mummaw, ET AL Property (Volume 1553, Page 532) South 80 Degrees 28 Minutes 12 Seconds East passing an existing iron pin at 50.59 feet and continuing on 571.81 feet for a total distance of 622.40 feet to an existing iron pin in the west line of the John Johnson Teeter, ET AL Property (Volume 2220, Page 2170); thence along said property South 08 Degrees 30 Minutes 15 Seconds West 50.01 feet to a new iron pin; thence leaving the Teeter Property with two new division lines as follows: North 80 Degrees 28 Minutes 12 Seconds West 623.30 feet to a new iron pin; thence North 09 Degrees 31 Minutes 48 Seconds East 50.00 feet to the point of beginning and containing an area of 0.71 acres as surveyed by James V. Weakley, RLS 1596 of Weakley Brothers Engineering on June 9, 2023. Job No. 21-349

RESOLUTION AMENDING THE BUDGET OF THE MONTGOMERY COUNTY HUMAN RESOURCES DEPARTMENT FOR THE RECLASSIFICATION OF A HUMAN RESOURCES ASSOCIATE II TO A HUMAN RESOURCES GENERALIST

WHEREAS, Montgomery County is one of the fastest growing communities in Tennessee and the Montgomery County Human Resources Department must continue to meet the growing needs of the employees of Montgomery County and its component units; and

WHEREAS, the Montgomery County Human Resources Department, through attrition, has been gradually restructuring the Montgomery County Human Resources Department staff; and

WHEREAS, the Director of the Montgomery County Human Resources Department has identified the need to request the reclassification of the current HR Associate II position to a HR Generalist position; and

WHEREAS, the additional cost for this reclassification for the remainder of Fiscal Year 2024 will be covered by moving funds from the operating budget of the Human Resources Department; and

WHEREAS, Tennessee Code Annotated §5-9-407 provides a procedure for amending the budget, specifically providing that “the budget, including line items and major categories, may be amended by passage of an amendment by a majority of the members of the county legislative body.”

NOW, THEREFORE, BE IT RESOLVED by the Montgomery County Board of Commissioners assembled in regular session on this 11th day of September 2023, that the Montgomery County Human Resources Department Fiscal Year 2024 operating budget is hereby amended as follows for the purpose of reclassifying one Human Resources Associate II to a Human Resources Generalist:

<u>ACCOUNT NUMBER</u>	<u>DESCRIPTION</u>	<u>AMOUNT</u>
101-51310-00000-51-51620	Clerical Personnel	\$ 14,100.00
101-51310-00000-51-52010	Social Security	\$ 875.00
101-51310-00000-51-52040	State Retirement	\$ 1,105.00
101-51310-00000-51-52120	Employer Medicare	\$ 205.00
101-51310-00000-51-52170	Retirement-Hybrid Stabilization	\$ 168.00
101-51310-00000-51-53990	Other Contracted Services	<u>(\$ 16,453.00)</u>
	TOTAL COST	\$ 0.00

Duly approved and passed this 11th day of September 2023.

Sponsor

 Heather E.S. Fleming

Commissioner

 John E. Gannon

Approved

Wes Golden, County Mayor

Attested

Teresa Cottrell, County Clerk

RECLASSIFICATION REQUEST FY 2023-2024

HR GENERALIST--HUMAN RESOURCES

Job Title	Grade	Step	FT/ PT	Current Hourly	Current Annual	Proposed Title Change	New Grade	New Step	FT/ PT	New Hourly	New Annual	Benefits Increase	Total Increase	% Increase
HR Associate II	80	5	FT	\$24.23	\$50,399.00	HR Generalist	105	1	FT	\$33.50	\$ 69,681.00	\$3,211.00	\$22,493.00	38.26%

Reasons for Change in Title/Grade

The Human Resources department position of HR Associate, a currently vacant position, was assigned to and was graded as a position that performs mainly administrative activities rather than substantive human resources tasks. In evaluating the work currently being done in the Human Resources Department, the work that Human Resources needs to be performing and the future of human resources work for Montgomery County, given the implementation of full scale HCM, I have determined that the Human Resources Department has reduced needs for a position performing administrative tasks but has a growing need for Generalist Human Resources work.

Summary of Changes in Job Duties Responsibilities

This position will go from an administrative (scanning, bill review and bill payment, etc.) position to a generalist position performing including tasks such as recruiting and interviewing, administering pay, assisting with organizational development efforts, benefits and leave administration, and creating, implementing and enforcing company policies and practices as well as serving as a super user in the County's HCM system. This position will have added educational requirements, experience in human resource management and a human resource certification will be preferred.

Additional funds of \$ _____ are available in account(s) _____ to help cover the cost of this reclassification.

Reclassification

HR Associate to HR Generalist

<u>HR Associate Essential Functions</u>	<u>HR Generalist Essential Functions</u>
<ul style="list-style-type: none">• Assists department in carrying out various Human Resources programs and procedures for all county employees.• Process and Mail Separation Notice and Term of benefits letter to employees when they terminate.• Performs customer service functions by answering employee requests and questions; greeting the public; answering multi-line telephone and mail distribution.• Perform clerical duties such as: fax, retrieve and deliver to appropriate recipients promptly; photocopy various documents; sorts and distributes incoming mail; processes outgoing mail. Assist with scanning of records in the electronic personnel filing systems.• Conduct employee onboarding and educate newly hired employees on HR policies, etc.• Assist in making ID Badges when needed.• Verify and complete I-9 documents through Homeland Security E-Verify.• Responds to employee benefits inquiries and general employee personnel issues• Completes Employment Verification as needed• Coordinates annual Health and Benefits Fair for County employees• Submit documentation to insurance Brokers for employee enrollment•	<ul style="list-style-type: none">• Maintains HCM to ensure accurate and efficient workflow of employment life-cycle record transactions.<ul style="list-style-type: none">○ Researches discrepancies and resolves issues. Collaborates and troubleshoots with internal contributors and IT, as needed.○ Safeguards overall data integrity along with policy and procedure compliance in all transactions.• Performs HCM security roles of HR Generalist, Benefits Administrator and Leave Administrator.• Supports Benefits team to include benefits administration, open enrollment, leave programs (ie Annual, Sick, Holiday, Compensatory, FMLA, Disabled Veterans, STD/LTD), EAP and 401k/pension.<ul style="list-style-type: none">○ Researches and resolves claims disputes between employee(s) and benefits vendors.• Initiates HCM reports for analysis and responds to report requests.<ul style="list-style-type: none">○ Monitors dashboards and analyzes findings.• Conducts new hire orientation (NHO) and ensures completion of benefits enrollment using Employee Navigator or similar program.•

HR Associate
Essential Functions

- Maintains Human Resources Information System records and compiles reports from database as needed
- **Manages the Wounded Warrior Disability Leave program**
- Coordinates and maintain FMLA (Family Medical Leave Act) documentation
- Maintain records, prepares forms, verifies information and resolves routine problems
- Maintain and ensure confidentiality of employee records/files.
- Assist with special projects as directed.
- Prepares requisitions for Benefits Fair and Service Awards processes invoices.
- **Assist with all phases of the recruitment and onboarding process.**
- **Collaborates with department managers to identify hiring criteria.**
- **Assist with screening applications/resumes and selects qualified candidates.**
- **Assist with scheduling interviews preparing interview questions and related materials.**
- Attends and participates in job fairs and recruiting events.
- Performs other duties as assigned.

HR Generalist
Essential Functions

- Supports Recruiting team by responding to applicant inquires and attending job/career fairs to include on-campus and on-base events.
- **Maintains job description (JD) database.**
 - **Ensures HCM houses up-to-date JD information.**
 - **Ensures information is correct and formatted correctly.**
- **Collaborates with Organizational Development/Engagement/Diversity, Equity, Inclusion (OD/ENG/DEI) Coordinator to conduct employee training.**
 - Provides backup support to OD/ENG/DEI Coordinator to manage LMS.
- **Administers employee referral program and ensures accurate integration with HCM.**
- Responds to employee inquiries in a timely manner and with exceptional customer service.
- Provides backup support to Payroll for employment verifications.
- **Responds to approved salary and benefits survey requests.**
- **Administers performance review process and supports OD/ENG/DEI Coordinator/HR Leadership regarding downstream programs including 9-box and other succession planning tools.**
 - **Provides training and coaching to managers regarding performance review process.**
- Plans and coordinates employee events across all shifts including service awards, benefits fair, veterans' recognition, etc.

	<p style="text-align: center;"><u>HR Generalist</u> <u>Essential Functions</u></p> <ul style="list-style-type: none">• Administers unemployment program and represents employer at hearings, as needed.• Collaborates with Risk Management on workers' compensation issues.• Assists with Montgomery County external website and internal SharePoint site.• Assists HR Director or Assistant HR Director as needed.• Drives special projects and other duties as assigned.• Other duties as assigned.
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Montgomery County Government Position Description

Job Title: Human Resources Generalist
Department: Human Resources
Class Code: 105
Reports To: Director of Human Resources
FLSA Status: Exempt
Prepared By: Human Resources
Prepared Date: August 2023

SUMMARY

The Human Resources Generalist is responsible for maintaining functions for the Human Resources department. This position serves as a vital partner in the Human Resources department and acts as a liaison with operating departments to execute and/or support human resources functions such as HCM workflow, health benefits administration, policy/procedure inquiries, Organizational Development/Learning, Performance Management, Payroll and Recruiting. The role assists employees and department management with essential HCM data oversight and transactional guidance.

EXPECTATIONS OF EMPLOYEE

- Adheres to County Government Policy and Procedures.
- Acts as a role model within and outside the work environment.
- Performs duties as workload necessitates.
- Maintains a positive and respectful attitude.
- Communicates regularly with supervisors, managers, department heads and elected officials about project and planning issues.
- Demonstrates flexible and efficient time management and ability to prioritize workload.
- Demonstrates awareness and understanding of various internal and external cultures that utilize department services.
- Consistently reports to work on time prepared to perform duties of position.
- Meets County government productivity and quality standards.
- Maintains appropriate customer relations internally and externally.

ESSENTIAL DUTIES AND RESPONSIBILITIES include the following. Other duties maybe assigned.

- Maintains HCM to ensure accurate and efficient workflow of employment life-cycle record transactions.
 - Researches discrepancies and resolves issues. Collaborates and troubleshoots with internal contributors and IT, as needed.
 - Safeguards overall data integrity along with policy and procedure compliance in all transactions.
- Performs HCM security roles of HR Generalist, Benefits Administrator and Leave Administrator.
- Supports Benefits team to include benefits administration, open enrollment, leave programs (i.e., Annual, Sick, Holiday, Compensatory, FMLA, Disabled Veterans, STD/LTD), EAP and 401k/pension.
 - Researches and resolves claims disputes between employee(s) and benefits vendors.
- Initiates HCM reports for analysis and responds to report requests.
 - Monitors dashboards and analyzes findings.
- Conducts new hire orientation and ensures completion of benefits enrollment using Employee Navigator or similar program.
- Supports Recruiting team by responding to applicant inquiries and attending job/career fairs to include on-campus and on-base events.
- Maintains job description (JD) database.
 - Ensures HCM houses up-to-date JD information.
 - Ensures information is correct and formatted correctly.
- Collaborates with Organizational Development/Engagement/Diversity, Equity, Inclusion (OD/ENG/DEI) Coordinator to conduct employee training.
 - Provides backup support to OD/ENG/DEI Coordinator to manage LMS.
- Administers employee referral program and ensures accurate integration with HCM.
- Responds to employee inquiries in a timely manner and with exceptional customer service.
- Provides backup support to Payroll for employment verifications.
- Responds to approved salary and benefits survey requests.
- Administers performance review process and supports OD/ENG/DEI Coordinator/HR Leadership regarding downstream programs including 9-box and other succession planning tools.
 - Provides training and coaching to managers regarding performance review process.
- Plans and coordinates employee events across all shifts including service awards, benefits fair, veterans' recognition, etc.
- Administers unemployment program and represents employer at hearings, as needed.
- Assists with Montgomery County external website and internal SharePoint site.

- Assists HR Director or Assistant HR Director as needed.
- Drives special projects and other duties as assigned.

SUPERVISORY RESPONSIBILITIES

This position has no supervisory responsibilities.

EDUCATION and/or EXPERIENCE

Bachelor's degree in HR, Business, Communications, or related field or actively pursuing bachelor's degree highly preferred.

Minimum three years' experience as HR Specialist, HR Generalist, HR Business Partner, HCM Administrator or related experience.

SPECIAL KNOWLEDGE and SKILLS

This position requires exceptional verbal, and written communication skills, excellent interpersonal skills, and intermediate computer literacy. The incumbent must be detail oriented; can work within tight deadlines, prioritize, and manage multiple assignments simultaneously; be highly motivated and able to work independently; proficient with HCM programs such as Oracle (preferred). Working knowledge of benefits administration (i.e., enrollments, benefits communication, benefits status changes, EAP, COBRA, HIPAA, ADA, ACA) and leave programs including accrual benefits programs, MLOA, STD/LTD, Disabled Veterans, FMLA, etc.

LANGUAGE SKILLS

Incumbent must possess the ability to read, analyze, and interpret general business periodicals, professional journals, technical procedures, or governmental regulations. Incumbent must possess the ability to write reports, business correspondence and procedure manuals; effectively present information and respond to questions from groups of managers, employees, clients, customers, and the public.

MATHEMATICAL SKILLS

Incumbent must possess the ability to work with mathematical concepts such as probability and statistical inference and the ability to apply concepts such as fractions, percentages, ratios, and proportions to practical situations.

REASONING ABILITY

Incumbent must possess the ability to solve practical problems and deal with a variety of concrete variables in situations where only limited standardization exists. Incumbent must possess the ability to interpret a variety of instructions furnished in written, written, diagram or schedule form. Must have a high ethical and moral standard of practice.

CERTIFICATES, LICENSES, REGISTRATIONS

- PHR/SHRM-CP or higher preferred.
- Valid driver's license preferred.

PHYSICAL DEMANDS

While performing the duties of this job, the incumbent is regularly required to sit and talk or hear. The incumbent frequently is required to use hands to finger, handle, or feel and reach with hands and arms. The incumbent is occasionally required to stand, walk, stoop, kneel, crouch, crawl, climb or balance. The incumbent must occasionally lift and/or move up to 25 pounds. Specific vision abilities required by this job include close vision and ability to adjust focus.

WORK ENVIRONMENT

While performing the duties of this job, the incumbent may be exposed to outside weather conditions. The noise level in the work environment is usually moderate.

The intent of this position description is to provide a representative summary of duties and responsibilities that will be required of positions given this title and is not a declaration of the specific duties and responsibilities of any particular position. Employees may be assigned job-related tasks other than those specifically presented in this description.

Signatures below indicate the receipt and review of this classification description by the employee assigned to the position and the immediate supervisor.

Employee

Date

Department Head/Elected Official

Date

Human Resources Department

Date

- ♦ - ♦ - ♦ - ♦ -

Montgomery County is an Equal Opportunity Employer and complies with the requirements of the Civil Rights Act of 1966 (Section 1981) and 1964 (Title VI, VII,) Americans with Disabilities Act (ADA), Rehabilitation Act of 1973, Age Discrimination in Employment Act (ADEA), Equal Pay Act (EPA) and the Uniformed Services Employment and Re-employment Rights Act (USERRA).

**RESOLUTION ADOPTING REGULATIONS GOVERNING THE
USE OF THE COUNTY RIGHT-OF-WAY**

WHEREAS, the Tennessee Code allows utilities to be placed within the county right-of-way; and

WHEREAS, the Tennessee Code, although varying in particulars concerning specific types of utilities, generally requires that permission be obtained from the county legislative body or the chief administrative officer of the highway department prior to entering upon the county right-of-way to perform work, and

WHEREAS, the Tennessee Code also generally requires that work performed within the county right-of-way be performed under the direction and control of the chief administrative officer of the county highway department, and

WHEREAS, it is impractical for permission to be granted on a case-by-case basis by the county legislative body, and

WHEREAS, it is necessary to establish clear procedures and rules, to be administered and enforced by the chief administrative officer of the highway department, for the use of the county right-of-way by utilities, so as to minimize interference with vehicular traffic, minimize damage to the county right-of-way, minimize risks to the public safety and convenience, and minimize damage to utilities.


NOW, THEREFORE, BE IT RESOLVED, by the Board of County Commissioners of Montgomery County, Tennessee, meeting in regular session on this day 11th of September 2023, that the chief administrative officer of the highway department shall have the authority to establish and enforce a permitting process in conjunction with applicable state and local requirements/regulations that shall apply to the use of county rights-of-way by utilities in Montgomery County.

Duly passed and approved this 11th day of September 2023.

Sponsor


Jeff Bryant

Commissioner


Rashidah Leverett

Approved

Wes Golden, County Mayor

Attested

Teresa Cottrell, County Clerk

**RESOLUTION AUTHORIZING THE INDUSTRIAL DEVELOPMENT
BOARD TO APPLY SITE 23B SALE PROCEEDS TO INTERNATIONAL COURT
ROAD DEVELOPMENT**

WHEREAS, the Board of County Commissioners executed an interlocal agreement among Montgomery County, the City of Clarksville (City), and the Industrial Development Board (IDB) of the County of Montgomery (County) on November 19, 2001 to support the Clarksville Montgomery County Corporate Business Park (Park) expansion; and

WHEREAS, the aforementioned interlocal agreement required that a portion of the proceeds from the sale of all park expansion sites are to be distributed to the parties in shares stipulated in the agreement; and

WHEREAS, the share due to the County from the sale of one such site (A portion of Map & Parcel ID 033-006-00) for the Kewpie plant are estimated to be up to \$482,479.

WHEREAS, the IDB possesses 14.56 acres of commercial sites in the Park (Map & Parcel ID 003-006-00) that lack road access that enable adequate marketing to targeted commercial businesses that are to service the Park; and

WHEREAS, the IDB has received enthusiastic interest by targeted commercial businesses to provide dining, healthcare, and grocery services to the Park if the sites were served by a public road; and

WHEREAS, the cost to construct a ~790 linear foot road (International Court) to access the aforementioned commercial sites is quoted to be \$1 million; and

WHEREAS, the Clarksville-Montgomery County Economic Development Council (EDC) desires to allocate \$174,740 of Park property sale proceeds toward the construction of International Court, and


WHEREAS, the IDB is to consider allocating up to \$342,781 of its unrestricted reserves toward the construction of International Court at its September 9, 2023 meeting, and

NOW, THEREFORE, BE IT RESOLVED by the Montgomery County Board of Commissioners assembled in Regular Session on this 11th day of September, 2023, that the Commission hereby allocates Site 23B sale proceeds of up to \$482,479 to the Industrial Development Board for development of International Court for subsequent dedication to Montgomery County for public use and to service the commercial sites in the South Industrial Park (Part of Map & Parcel ID 003-006-00), and

BE IT FURTHER RESOLVED that the Clarksville-Montgomery County Economic Development Council's budget be amended to increase Industrial Park Development Expenses by \$174,740 for the development of International Court.

Duly passed and approved this 11th day of September 2023.

Sponsor


Josh Ward

Commissioner


John Gannon

Approved

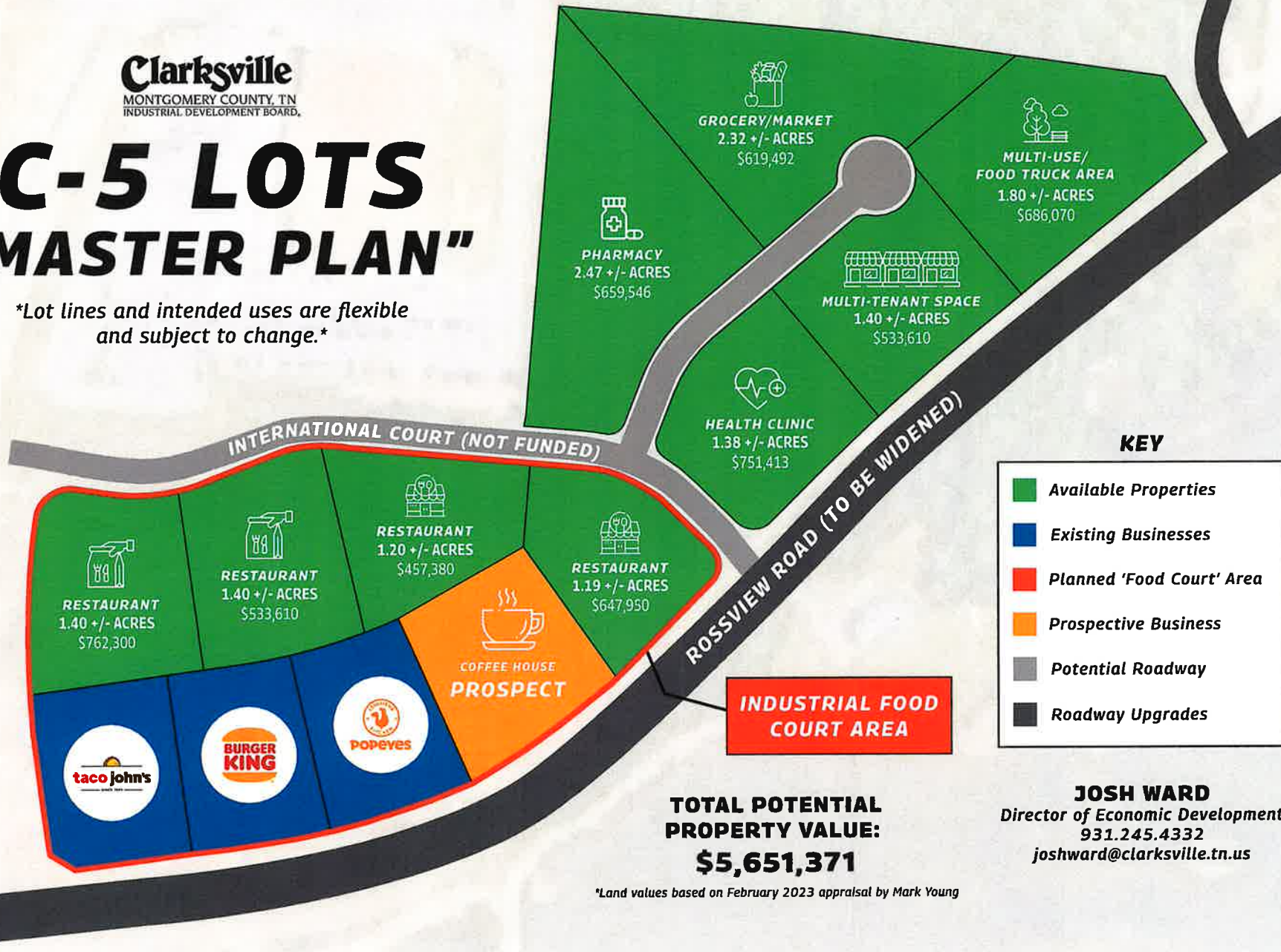

Wes Golden, County Mayor

Attested


Teresa Cottrell, County Clerk

C-5 LOTS "MASTER PLAN"

**Lot lines and intended uses are flexible
and subject to change.**



**Land values based on February 2023 appraisal by Mark Young*

JOSH WARD
Director of Economic Development
931.245.4332
joshward@clarksville.tn.us

22-9-13

**RESOLUTION TO ADOPT THE 2024 LEGISLATIVE AGENDA
AS PRESENTED BY THE LEGISLATIVE LIAISON COMMITTEE**

WHEREAS, the Legislative Liaison Committee acts as a liaison between the Montgomery County Board of Commissioners and the Tennessee State Legislature; and

WHEREAS, the Legislative Liaison Committee reviews bills that may affect budget plans and/or bills that would have an adverse effect on counties, and makes recommendations to the county commission prior to presenting to the state legislature; and

WHEREAS, the Legislative Liaison Committee has prepared a Legislative Agenda to the 113th General Assembly for consideration by our state delegation.

NOW, THEREFORE, BE IT RESOLVED by the Montgomery County Board of Commissioners meeting in regular business session on this 11th day of September 2023, that the attached 2024 Legislative Agenda prepared by the Legislative Liaison Committee is hereby approved.

Duly passed and approved this 11th day of September 2023.

Sponsor


Wes Golden

Commissioner


John Gannon

Approved

Wes Golden, County Mayor

Attested

Teresa Cottrell, County Clerk

**RESOLUTION OF THE MONTGOMERY COUNTY BOARD OF COMMISSIONERS
APPROPRIATING FUNDS FOR THE PURCHASE OF LAND FOR A FUTURE
ELEMENTARY SCHOOL**

WHEREAS, growth plan data projections from the Regional Planning Commission indicates the need for a new elementary school to be located between Clarksville-Montgomery County School System (CMCSS) zoning region 2; and

WHEREAS, the Joint Land Ad Hoc Committee, having met on August 15, 2023, have studied and evaluated various property options and recommends purchasing land now in order to lessen the tax burden on future generations when these campuses are developed; and

WHEREAS, a potential property owned by Iron Horse Belleglade, LLC, located at Map and Parcel 006P F 02100 with approximately 17.96 acres of the parcel that has been identified as property that would be suitable for a potential future elementary school campus; and


WHEREAS, pending the completion of a purchase agreement between the seller and CMCSS, results of CMCSS' due diligence on specific property within CMCSS zoning region 2 satisfying CMCSS requisite contingencies, negotiations and purchase of property with a potential seller should proceed; and

WHEREAS, wheel tax funds collected for the purpose of land, construction and renovation of schools in the Clarksville Montgomery County System will be used to purchase this property.

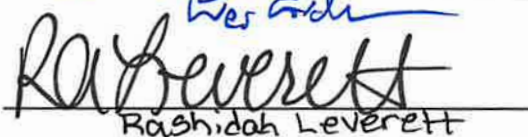
NOW THEREFORE BE IT RESOLVED by the Montgomery County Board of County Commissioners assembled in regular session on this 11th day of September 2023, that an amount not to exceed \$6,400,000.00 be appropriated using reserves from wheel tax funds for the survey, closing costs and purchase price of property located at Map and Parcel for the purpose of future construction of an elementary school for the Clarksville Montgomery County School System.

Duly passed and approved this 11th day of September 2023.

Sponsor


Wes Golden

Commissioner


Rashidah Leverett

Approved

Wes Golden, County Mayor

Attested

Teresa Cottrell, County Clerk

**RESOLUTION AUTHORIZING THE INDUSTRIAL DEVELOPMENT BOARD OF
MONTGOMERY COUNTY TO NEGOTIATE AND ACCEPT PAYMENTS IN LIEU OF
AD VALOREM TAXES FROM LESSEES OPERATING LOW-INCOME HOUSING
TAX CREDIT PROPERTIES**

WHEREAS, Tennessee Code Annotated §7-53-305 (b) authorizes the Industrial Development Board of the County of Montgomery to negotiate and accept payments in lieu of ad valorem taxes from its lessees operating low-income housing tax credit properties pursuant to Tennessee Code Annotated 13-20-104 and revising the program for determining qualifications and eligibility for such payments; and

WHEREAS, Tennessee Code Annotated §7-53-101(15)(A)(x) ("the Act") provides that an Industrial Development Board for which an authority is created to delegate to such Industrial Development Board the authority to negotiate and accept payments in lieu of ad valorem taxes from the Industrial Development Board's lessees operating low-income housing tax credit ("LIHTC") property; and

WHEREAS, the Industrial Development Board of the County of Montgomery ("IDB") was created pursuant to state law and holds the economic development authority for the County of Montgomery; and

WHEREAS, the County of Montgomery seeks to oversee the payment in lieu of ad valorem tax program for determining the eligibility and qualification of IDB's lessees operating LIHTC properties ("LIHTC PILOT Program), and that revision is attached as Exhibit A hereto and incorporated herein; and

WHEREAS, housing inventory is critical to employees and companies that provide competitive wages.

NOW, THEREFORE, BE IT RESOLVED this Commission, has determined that such request is reasonable and in the best interest of the IDB, and the County,

SECTION 1: That the County Commission hereby finds that the PILOT Program attached as Exhibit A hereto and incorporated herein furthers IDB's public purpose and approves the LIHTC PILOT Program.

SECTION 2: That the County Commission hereby delegates to the IDB the authority to negotiate and accept payments in lieu of tax from its lessees operating LIHTC properties pursuant to the Act and in accordance with the PILOT Program. Subject to the terms of the PILOT Program and other applicable law, the IDB shall have the authority to negotiate up to **\$500,000** of PILOT abatements per calendar year.

SECTION 3: That the IDB shall file an annual report with the County Commission, and the County Assessor of Property containing the following information:

- a) A list of all the real and personal property owned by the IDB and its associated entities and subsidiaries with respect to LIHTC PILOTs that have been negotiated and accepted;
- b) The value of each listed property, as estimated by the lessee of the property;
- c) The date and term of the lease for each listed property;
- d) The amount of payments made in lieu of property taxes for each listed property;
- e) The date each listed property is scheduled to return to the regular tax rolls; and
- f) Calculation of the taxes which would have been due for each listed property if the properties were privately owned or otherwise subject to taxation; and
- g) The difference between the taxes without a PILOT and the annual PILOT.

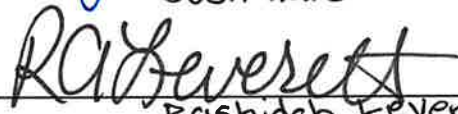
SECTION 4. That this Ordinance shall take effect from and after its final passage, the welfare of the County of Montgomery requiring it.

Duly passed and approved this 11th day of September 2023.

Sponsor


Josh Ward

Commissioner


Rashidah Leverett

Approved

Wes Golden, County Mayor

Attested

Teresa Cottrell, County Clerk

The Industrial Development Board of the County of Montgomery Low Income Housing Tax Credit (LIHTC) PILOT Program General Program Description

Preamble:

With the increasing demand for affordable rental housing in Clarksville-Montgomery County, the Industrial Development Board (IDB) is constantly seeking new methods to support the goal of expanding the local supply of affordable housing. The Tennessee General Assembly provided one such method when it amended Tennessee Code Annotated, §7-53-101 (15)(A)(x) ("the Act") to grant the IDB the ability to negotiate a Payment in Lieu of Taxes (PILOT) with Low Income Housing Tax Credit Properties in its jurisdiction, a legal authority that previously existed for certain economic development authorities in Tennessee. Given the tight rental market conditions and the heavy demand for development of market rate units across Montgomery County, the State's action granting an IDB the ability to negotiate PILOTs could not have come at a better time. The County Commission's approval of the IDB's PILOT Program would provide further financial incentives to developers considering construction or rehabilitation of affordable housing units through the federally sponsored low-income housing tax credit programs resulting in a positive impact on the supply of affordable housing in Clarksville-Montgomery County.

General Program Requirements:

- The program will meet all requirements set forth in T.C.A., §7-53-101 (15)(A)(x), which governs the rights of economic development authorities to negotiate Payment In Lieu of Taxes (PILOT) from its lessees operating Low Income Housing Tax Credit (LIHTC) Properties.
 - Low Income Housing Tax Credit Property means low-income housing property restricted under government regulations pursuant to § 42 of the Internal Revenue Code of 1986 as amended (the low-income housing tax credit program), the definition of which is referenced in T.C.A., Section T.C.A. § 7-53-305(b).
- Each individual PILOT agreement is subject to the approval of the IDB, Board of Directors.
 - Maximum allowable term for the PILOT lease shall be ten (10) years.
 - The IDB shall have annual authority to negotiate an amount to be established by the County Commission in additional PILOTs. This would only include additional tax liability over and above the pre-development assessed value of the property.
 - Both existing and new low-income housing tax credit properties will be eligible for a PILOT agreement, and such agreements will be awarded competitively based on financial need as evidenced by the pro forma for new LIHTC properties, and financial statement submissions for existing LIHTC properties.
 - A PILOT agreement will not affect taxes on the property for its unimproved value but will only reduce the taxes paid on the property above its pre-development value.

- Applications for participation in the PILOT Program will be accepted by the IDB.
 - PILOT Applications must include a five-year project pro-forma or financial statements of the project's income and expenses.
 - An applicant will have up to one (1) year from the time of approval by the IDB to close a PILOT lease. If the lease has not been closed within that time the project must be resubmitted, reviewed, and reapproved by the IDB.
 - If property subject to PILOT lease is vacant and unoccupied for a period of two (2) years, the lease will be terminated, the IDB will convey the property back to the owner, and the property will return to the tax rolls at the current tax assessment and rate.
- PILOT Agreements shall only be awarded to properties that have received an allocation of Low-Income Housing Tax Credits (LIHTC), and no PILOT lease may be assigned prior to the completion of the project. This is not intended to be a prohibition on County Commission's ability to pre-approve deals, as pre-approval may be necessary to ensure financial viability of the project in the eyes of the LIHTC award committee.
- An applicant must own the property or have an option or other right to purchase the property, so that it will be able to convey title to the IDB and be eligible to apply for tax abatement under the PILOT program. Conveyance of the property will be required.
- All PILOT leases will be closed in the name of the applicant or party designated in the application as the owner of the project.
- All PILOT Program projects will be required to submit annual documentation to the IDB showing that they remain compliant with LIHTC PILOT program rules.
- The IDB will determine a reasonable fee structure to ensure adequate financial compensation for agency staff time and resources spent on the administration, monitoring, and legal work related to the execution of the LIHTC PILOT Program.

**RESOLUTION CONSENTING TO THE INDUSTRIAL DEVELOPMENT
BOARD OF THE COUNTY OF MONTGOMERY NEGOTIATING AND
ACCEPTING PAYMENTS IN LIEU OF AD VALOREM TAX WITH
RESPECT TO A MULTI-FAMILY HOUSING PROJECT, MILLER
TOWN, IN MONTGOMERY COUNTY, TENNESSEE.**

WHEREAS, the County Commission (the “Governing Body”) of Montgomery County, Tennessee (the “County”) has met pursuant to proper notice; and

WHEREAS, the County has previously authorized the incorporation of The Industrial Development Board of the County of Montgomery (the “Board”) as an industrial development board duly organized and existing under the provisions of Title 53 of Chapter 7, Tennessee Code Annotated; and

WHEREAS, the County has been informed that Highmark Miller Town, L.P., a Tennessee limited partnership, or an affiliate thereof (the “Developer”), acquired and rehabilitated a multifamily housing facility for low and moderate-income citizens known as Miller Town Apartments (collectively, the “Project”) located in the County (the “Property”) at 395 Jack Miller Blvd, Clarksville, TN, 37042; and

WHEREAS, the Developer has requested the Board to hold ownership of the Property; and

WHEREAS, the Developer is mandated to provide 20% of the Units to families earning less than 50% AMI and 80% for families earning less than 60% AMI, (for 2023, \$36,500 and \$43,800 respectively).

WHEREAS, the Developer has furthermore requested the Board to lease the Project to the Developer and to permit the Developer to make payments in lieu of ad valorem taxes; and

WHEREAS, Tenn. Code Ann. § 7-53-305(b) authorizes the County to delegate to the Board the authority to negotiate and accept from the lessees of the Board payments in lieu of ad valorem tax upon the finding that such payments are deemed to be in furtherance of the public purposes of the Board as defined in said Code Section.

NOW, THEREFORE, BE IT RESOLVED by the County Commission of Montgomery County, Tennessee, as follows:

1. The Governing Body hereby finds that the negotiation and acceptance by the Board of payments in lieu of ad valorem taxes consistent with this resolution are deemed to be in furtherance of the public purposes of the Board as defined in Tennessee Code Annotated Section 7-53-305, and the Governing Body hereby consents and delegates to the Board the right to negotiate and accept such payments from the Developer.

2. The terms of the agreement between the Board and the Developer concerning payments in lieu of ad valorem taxes shall be determined by the Board; provided, however (i) the term of such agreement shall not exceed ten (10) years, and (ii) the amount of the annual payment

in lieu of taxes after following completion of the construction shall not be less than \$65,000 per year.

3. The Board's agreements concerning payments in lieu of ad valorem taxes relating to the Facility may contain such administrative provisions not inconsistent with this resolution as the Board deems appropriate.

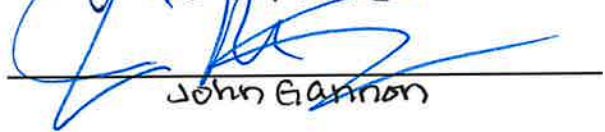
4. This resolution shall take effect notwithstanding any prior resolutions to the contrary. All other resolutions and orders, or parts thereof, in conflict with the provisions of this resolution are, to the extent of such conflict, hereby repealed, and this resolution shall be in immediate effect from and after its adoption.

Duly passed and approved this 11th day of September, 2023.

Sponsor


Josh Ward

Commissioner


John Gannon

Approved

Wes Golden, County Mayor

Attested

Teresa Cottrell, County Clerk

**RESOLUTION TO APPOINT ONE MEMBER OF THE MONTGOMERY
COUNTY BOARD OF COMMISSIONERS TO SERVE AS A NON-VOTING EX-OFFICIO
REPRESENTATIVE WITH THE MONTGOMERY COUNTY SPORTS AUTHORITY**

WHEREAS, the **MONTGOMERY COUNTY SPORTS AUTHORITY** serves the citizens of Montgomery County, Tennessee, by all of their oversight, decisions and activities; and

WHEREAS, Montgomery County has a vital interest in communicating with and participating with **MONTGOMERY COUNTY SPORTS AUTHORITY** as they fulfill their vital role of importance in their work on behalf of the citizens of Montgomery County, Tennessee; and

WHEREAS, the Montgomery County Board of Commissioners will be better informed if a liaison is designated to serve as a non-voting Ex-Officio representative with the same, attending all meetings of the **MONTGOMERY COUNTY SPORTS AUTHORITY** and supplying the Montgomery County Board of Commissioners with the regular reports and status of activity of the authority.

NOW, THEREFORE, BE IT RESOLVED by the Montgomery County Board of Commissioners assembled in regular business session on this 11th day of September, 2023, that one member of the Montgomery County Board of Commissioners will be nominated by the Nominating Committee of the Montgomery County Board of Commissioners as soon as possible and shall serve until the 31st day of July, 2024, as a non-voting Ex-Officio representative of the **MONTGOMERY COUNTY SPORTS AUTHORITY**. Thereafter, reappointments will occur in the same manner annually with a new member to serve a one-year term when reappointments occur.

BE IT FURTHER RESOLVED that the member so nominated and approved by the Commission to serve as a non-voting Ex-Officio Representative, will serve only as a non-voting Ex-Officio representative for the limited purpose to act as a communication liaison between the Montgomery County Board of Commissioners and the **MONTGOMERY COUNTY SPORTS AUTHORITY**, attend the meetings of the authority, and keep the Montgomery County Board of

Commissioners informed as to the operating progress, policies, procedures, and work of the
MONTGOMERY COUNTY SPORTS AUTHORITY.

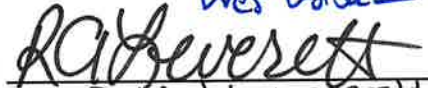
Duly passed and approved this 11th day of September, 2023.

Sponsor



Wes Golden

Commissioner



Rashidah Leverett

Approved

Wes Golden, County Mayor

Attest

Teresa Cottrell, County Clerk

**RESOLUTION OF THE MONTGOMERY COUNTY BOARD OF
COMMISSIONERS
AMENDING THE ZONE CLASSIFICATION OF THE PROPERTY OF
REDA HOME BUILDERS, INC.**

WHEREAS, an application for a zone change from AG Agricultural District to R-1 Single-Family Residential District has been submitted by Reda Home Builders, Inc. and

WHEREAS, said property is identified as County Tax Map 068 , parcel 097.03, containing 11.01 +/- acres, situated in Civil District 13, located A tract without road frontage located east of Reda Dr., north of Morning Star Dr. & west of Dotsonville Rd. ; and

WHEREAS, said property is described as follows:
Beginning at an existing iron pin at the northeast corner of Lot 30, Morningwood (Plat Book J, Page 338); thence along the north margin of said lot North 64 Degrees 18 Minutes 44 Seconds West 250.44 feet to an existing iron pin; thence leaving said subdivision along an existing zone line North 16 Degrees 15 Minutes 38 Seconds West 1023.63 feet to a point; thence South 82 Degrees 46 Minutes 53 Seconds East 666.35 feet to an existing iron pin, said iron pin being the northeast corner of the Reda Homebuilders Inc. Property (Volume 1440, Page 985); thence South 08 Degrees 23 Minutes 56 Seconds West 1018.43 feet to the point of beginning and containing an area of 9.98 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 11th day of September, 2023 that the zone classification of the property of Reda Home Builders, Inc. from AG to R-1 is hereby approved.
Duly passed and approved this 11th day of September, 2023 .

Sponsor _____
Commissioner _____
Approved _____
County Mayor

Jeff Tyndall
John Bannon

Attested: _____
County Clerk

COUNTY ZONING ACTIONS

The following case(s) will be considered for final action at the formal session of the Board of County Commissioners meeting on: **Monday, May 8, 2023**. The public hearing will be held on: **Monday, May 1, 2023**.

CASE NUMBER: CZ-2-2023

Applicant: Reda Home Builders, Inc.

Location: A tract without road frontage located east of Reda Dr., north of Morning Star Dr. & west of Dotsonville Rd.

Request: AG Agricultural District to
R-1 Single-Family Residential District

County Commission District: 7

STAFF RECOMMENDATION: DISAPPROVAL

PLANNING COMMISSION RECOMMENDATION: APPROVAL

CLARKSVILLE-MONTGOMERY COUNTY REGIONAL PLANNING
STAFF REVIEW - ZONING

RPC MEETING DATE: 04/25/2023

CASE NUMBER: CZ - 2 - 2023

NAME OF APPLICANT:Reda Home Builders.

AGENT:

GENERAL INFORMATION

TAX PLAT: 068

PARCEL(S): 097.03

ACREAGE TO BE REZONED: 11.01 +/-

PRESENT ZONING: AG

PROPOSED ZONING: R-1

EXTENSION OF ZONING

CLASSIFICATION: YES

PROPERTY LOCATION: A tract without road frontage located east of Reda Dr., north of Morning Star Dr. & west of Dotsonville Rd.

CITY COUNCIL WARD:

COUNTY COMMISSION DISTRICT: 7

CIVIL DISTRICT: 8

DESCRIPTION OF PROPERTY: A triangular shaped wooded tract of land without road frontage. (The adjoining property is owned by the same individual and does have road frontage.)

**APPLICANT'S STATEMENT
FOR PROPOSED USE:** To match surrounding zoning.

GROWTH PLAN AREA:

PGA

PLANNING AREA: Woodlawn

PREVIOUS ZONING HISTORY:

CLARKSVILLE-MONTGOMERY COUNTY REGIONAL PLANNING
STAFF REVIEW - ZONING

DEPARTMENT COMMENTS

CZ 2 2023

- ☐ FIRE DEPARTMENT
- ☒ EMERGENCY MANAGEMENT
- ☒ SHERIFFS DEPT.
- ☒ DIV. OF GROUND WATER
- ☐ HOUSING AUTHORITY
- ☐ COMMON DESIGN REVIEW BOARD
- ☐ GAS & WATER DEPT. (DIGITAL ONLY)
- ☐ CUMBERLAND HTS U/D (DIGITAL ONLY)
- ☐ CUNNINGHAM U/D (DIGITAL ONLY)
- ☐ EAST MONT. U/D (DIGITAL ONLY)

- ☒ WOODLAWN U/D (DIGITAL ONLY)
- ☐ CITY STREET DEPT. (DIGITAL ONLY)
- ☒ COUNTY HWY. DEPT. (DIGITAL ONLY)
- ☒ CEMC (DIGITAL ONLY)
- ☐ CDE (DIGITAL ONLY)
- ☐ ATT (DIGITAL ONLY)
- ☐ POLICE DEPT. (DIGITAL ONLY)
- ☐ CITY BLDG DEPT. (DIGITAL ONLY)
- ☒ COUNTY BLDG DEPT. (DIGITAL ONLY)
- ☒ SCHOOL SYSTEM OPS. (DIGITAL ONLY)

- ☐ FT. CAMPBELL (DIGITAL ONLY)
- ☐ IND. DEV. BD. (DIGITAL ONLY)
- ☐ CHARTER (DIGITAL ONLY)
- ☒ OTHER

1. CITY ENGINEER/UTILITY DISTRICT:

WUD is putting on hold developments until we can do a study on our infrastructure. Study should be finished by June.

**2. STREET DEPARTMENT/
COUNTY HIGHWAY DEPARTMENT:**

No comment.

3. DRAINAGE COMMENTS:

Comments received from department and they had no concerns.

4. CDE/CEMC:

No Comment(s) Received

5. FIRE DEPT/EMERGENCY MGT.:

Comments received from department and they had no concerns.

6. POLICE DEPT/SHERIFF'S OFFICE:

No Comment(s) Received

**7. CITY BUILDING DEPARTMENT/
COUNTY BUILDING DEPARTMENT:**

Comments received from department and they had no concerns.

8. SCHOOL SYSTEM:

ELEMENTARY: WOODLAWN

MIDDLE SCHOOL: NEW PROVIDENCE

HIGH SCHOOL: NORTHWEST

Woodlawn Elementary is at 97% capacity with 1 portable classroom. New Providence Middle is at 87% capacity and currently has 1 portable classroom and Northwest High is at 90% capacity. This development could add additional students and require additional infrastructure, funding and rezoning to achieve optimal capacity utilization throughout the District.

9. FT. CAMPBELL:

10. OTHER COMMENTS:

Property is located with the future State Route 374 Highway Corridor.

CLARKSVILLE-MONTGOMERY COUNTY REGIONAL PLANNING
STAFF REVIEW - ZONING

PLANNING STAFF'S STUDY AND RECOMMENDATION

CZ 2 2023

IMPACT OF PROPOSED USE ON SURROUNDING DEVELOPMENT: Increased Single Family Residential Density.

INFRASTRUCTURE:

WATER SOURCE: WOODLAWN

SEWER SOURCE: SEPTIC

STREET/ROAD ACCESSIBILITY:

DRAINAGE COMMENTS:

RESIDENTIAL DEVELOPMENT

APPLICANT'S ESTIMATES HISTORICAL ESTIMATES

LOTS/UNITS:

10

POPULATION:

27

APPLICABLE LAND USE PLAN

Woodlawn Planning Area- The planning area has access to the "Back Gate" of Ft. Campbell and thus is a favorite off-post venue for military personnel, given its convenient proximity. It is thought that this area has its future more tightly tied to the military reservation than most. U.S. 79 known locally as Dover Road is the major east-west axis in this planning area

STAFF RECOMMENDATION: **DISAPPROVAL**

1. The proposed zoning request is inconsistent with the adopted Land Use Plan.
2. This zoning request lies within the State Route (SR) 374 right-of-way as shown by the Tennessee Department of Transportation (TDOT) and the approved and adopted Clarksville Metropolitan Planning Area / 2045 Metropolitan Transportation Plan
3. A Transportation Goal of the adopted Land Use Plan is to enhance & maintain an efficient and safe highway & street network.
4. It would be inappropriate to encourage additional density or more intense uses within a known future State Route ROW corridor.
5. Woodlawn Utility District has stated that they have put a hold on developments (within their service boundaries) until they have completed a study on their infrastructure.



CZ-02-2023

APPLICANT:
REDA HOME BUILDERS,
INC


REQUEST:

**AG
TO
R-1**

MAP & PARCEL

**068
09703**

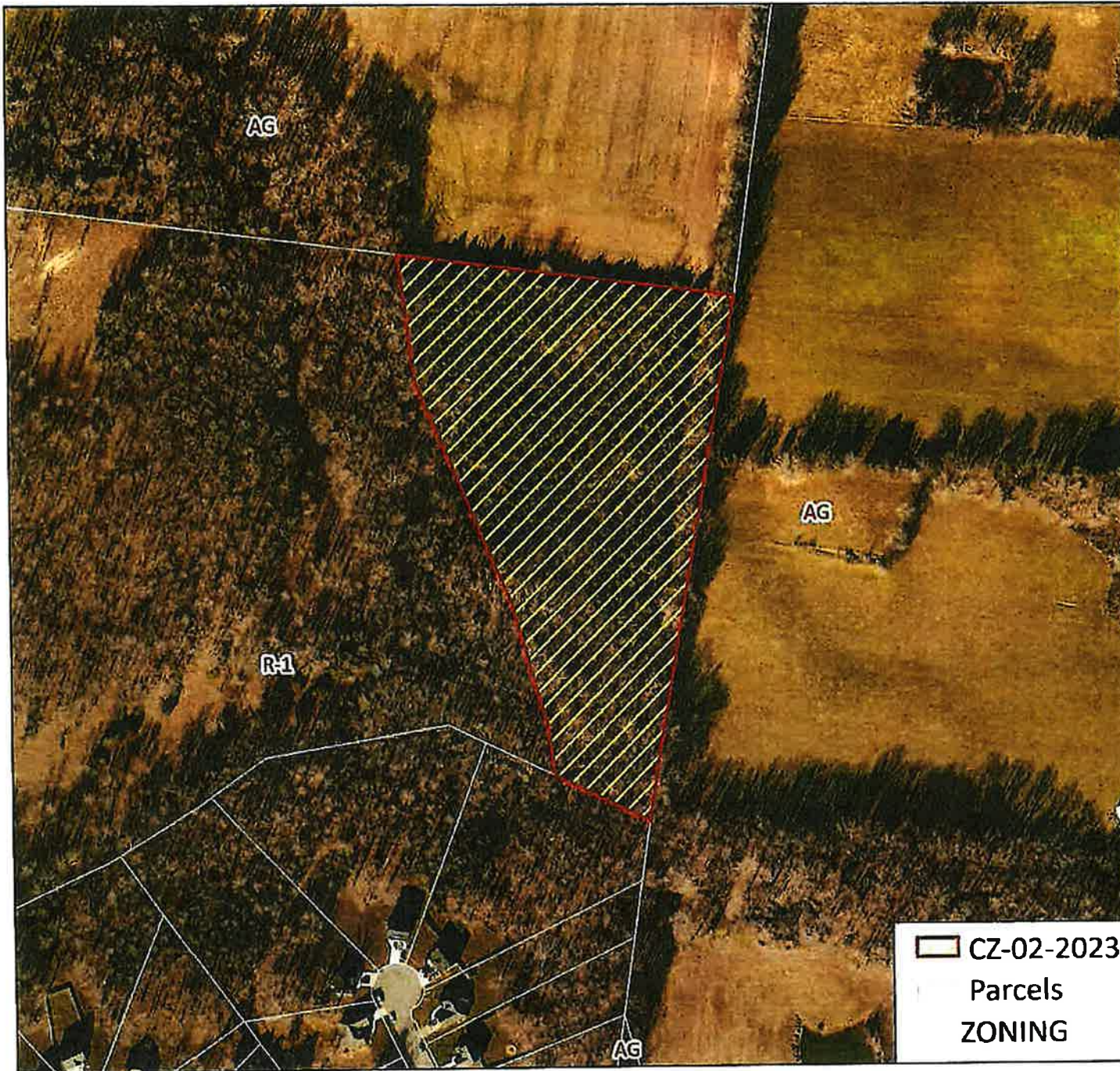
**ACRES +/-
11.01**

 **CZ-02-2023
Parcels
ZONING**

Scale: 1:10,000

0 500 1,000
Feet

4/25/2023



CZ-02-2023

APPLICANT:
REDA HOME BUILDERS,
INC

REQUEST:

AG

TO

R-1

MAP & PARCEL

068

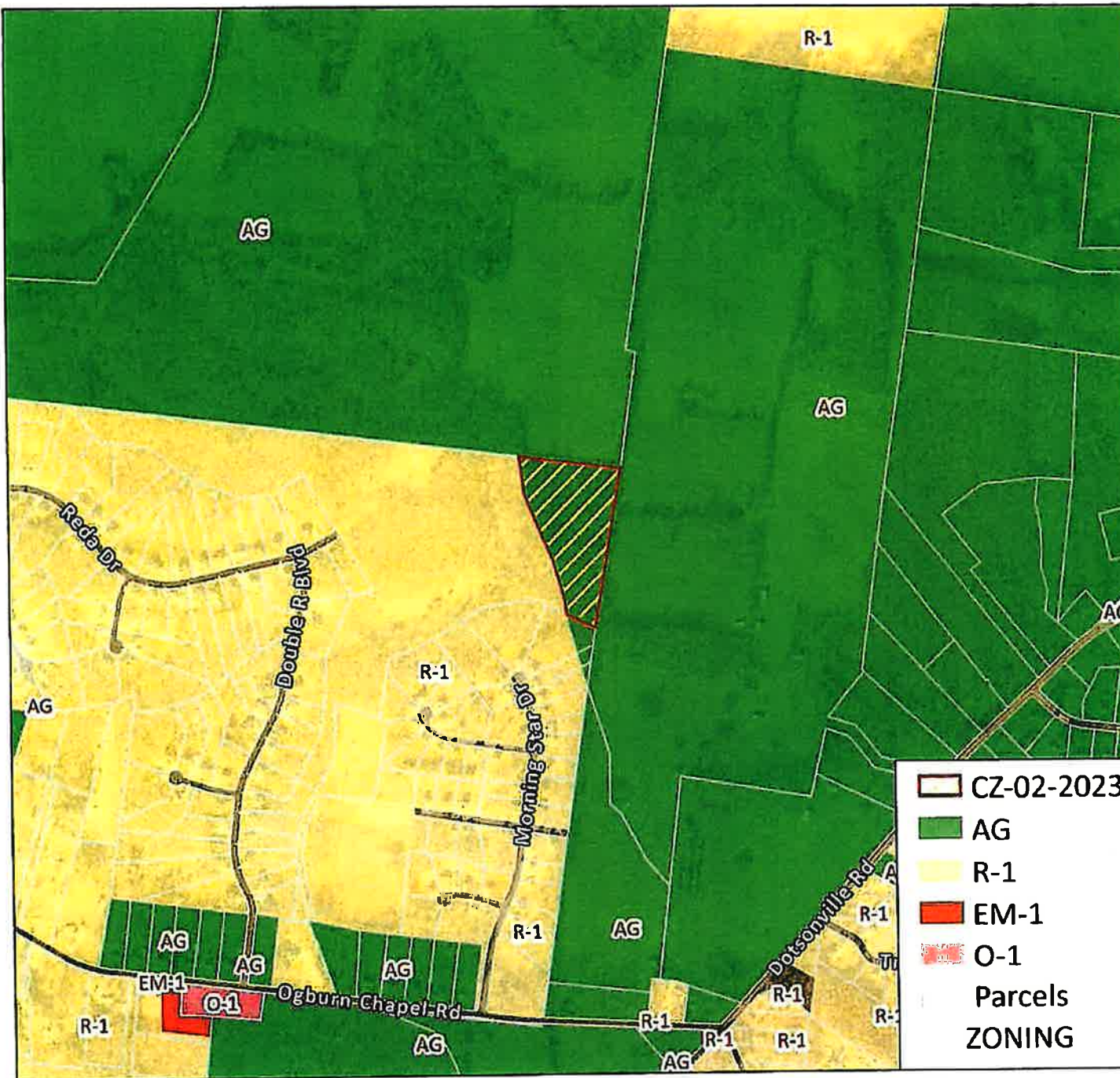
09703

ACRES +/-
11.01

Scale: 1:3,000

0 150 300
Feet

4/25/2023



CZ-02-2023

APPLICANT:
REDA HOME BUILDERS,
INC

REQUEST:

AG

TO

R-1

MAP & PARCEL

068

09703

ACRES +/-
11.01

CZ-02-2023

AG

R-1

EM-1

O-1

Parcels

ZONING

Scale: 1:10,000

0 500 1,000
Feet

4/25/2023

CASE NUMBER: CZ 2 2023 **MEETING DATE** 04/25/2023

APPLICANT: Reda Home Builders, Inc.

PRESENT ZONING AG

PROPOSED ZONING R-1

TAX PLAT # 068

PARCEL 097.03

GEN. LOCATION A tract without road frontage located east of Reda Dr., north of Morning Star Dr. & west of Dotsonville Rd.

PUBLIC COMMENTS

None received as of 4:30 P.M. on 4/24/2023 (A.I..)

COUNTY COMMISSION MINUTES FOR

AUGUST 14, 2023

SUBMITTED FOR APPROVAL SEPTEMBER 11, 2023

BE IT REMEMBERED that the Board of Commissioners of Montgomery County, Tennessee, met in regular session, on Monday, August 14, 2023, at 6:00 P.M. Present and presiding, the Hon. Wes Golden, County Mayor (Chairman). Also present, Lee Harrell, Chief of Staff, Teresa Cottrell, County Clerk, John Fuson, Sheriff, Tim Harvey, Attorney, Jeff Taylor, Accounts and Budgets, and the following Commissioners:

Joshua Beal	David Harper	Chris Rasnic
Nathan Burkholder	Jason Knight	Rickey Ray
Carmelle Chandler	Michael Lankford	David Shelton
Joe Creek	Rashidah Leverett	Autumn Simmons
Billy Frye	Jorge Padro	Jeremiah Walker
Ryan Gallant	Lisa Prichard	Walker Woodruff

PRESENT: 18

ABSENT: John Gannon, Joe Smith, and Tangi Smith (3)

When and where the following proceedings were had and entered of record,
to-wit:

Thomas Balzamo addressed the Commission in support of Resolution 23-8-14.

Ethan Moore addressed the Commission regarding his experience as intern for Mayor Golden's office and expressed his gratitude for the opportunity.

The following Zoning Resolutions were Adopted:

CZ-12-2023 Resolution of the Montgomery County Board of Commissioners Amending the Zone Classification of the Property of Mark Deering and Chris Steffen

CZO-1-2023 Resolution Amending the Zoning Resolution of Montgomery County, Tennessee, as it Pertains to Truck Stops

Resolution 23-8-1 was pulled from the Consent Agenda to be voted on separately.

Resolutions 23-8-5 and 23-8-6 were pulled from the Consent Agenda.

The following Resolutions and Items were Adopted and Approved as part of the Consent Agenda:

23-8-2 Resolution to Amend the Budgets of Various Funds for Fiscal Year 2024 in Certain Areas of Revenues and Expenditures

23-8-3 Resolution to Charge Off Debts in the Montgomery County Clerk's Office

23-8-4 Resolution Appointing Hector Santos as Director of the Montgomery County Veterans Service Organization

23-8-8 Resolution Relative to the Proposed Germanium and Gallium Recovery and Processing Facility in Clarksville, Tennessee

23-8-9 Resolution to Accept and Appropriate Funds to Hire One School Resource Officer Position to Staff Additional School as Part of the 2023 Statewide School Resource Officer Program Grant

23-8-10 Resolution to Appropriate Funds from the Sheriff's Office LESO 1033 Program (DRMO) Reserve Fund for Fiscal Year 2024

23-8-11 Resolution to Accept and Appropriate Grant Funds from the Tennessee Department of Commerce and Insurance for the Purposes of Tuition Assistance at Tennessee Law Enforcement Training Academy, Basic Police Training

23-8-12 Resolution Authorizing Montgomery County to Enter into a Farm Lease Agreement for the Purpose of Maintaining Certain Portions of the Public Safety Training Complex

- 23-8-13** Resolution to Amend Internal Operation Rules for the Montgomery County Board of Commissioners to Revise Signature Block
- 23-8-15** Resolution Authorizing Funding in an Amount Not to Exceed Fifty Thousand Dollars (\$50,000) for the Purchase of Land in Order to Construct 700/800-Megahertz Communication Sites
- 23-8-17** Resolution Amending the Budget of the Montgomery County Parks & Recreation Department for a Horticulturist
- 23-8-18** Resolution to Approve Settlement Agreement by and between Montgomery County, Tennessee, and the Estate of Glenn Harris Weakley and the Estate of Joann B. Weakley
- Commission Minutes dated July 10, 2023
 - County Clerk's Report and Notary List
 - County Mayor Nominations & Appointments
 - Highway Dept. Quarterly Road List

The newly appointed Director of Veterans Services Organization, Hector Santos, addressed the Commission.

The following Resolution was Deferred to the September 11, 2023 Formal Commission Meeting:

- 23-8-1** Resolution to Appoint One Member of the Montgomery County Board of Commissioners to Serve as a Non-Voting Ex-Officio Representative with the Montgomery County Sports Authority

The following Resolution Failed:

- 23-8-14** Resolution Requesting the Tennessee General Assembly Preserve the Fundamental Right of Tennesseans to Keep and Bear Arms and in Furtherance of this Opposition Requesting that Governor Lee, the Montgomery County Legislative Delegation, the Tennessee General Assembly and the Tennessee Attorney General Take all Steps Possible to Oppose, Protest and Challenge any such Legislation that Restricts or Infringes Upon this Constitutional Right

The following Resolution was Adopted:

- 23-8-16** Resolution of the Montgomery County Commission Raising the Income Limit of the Senior Tax Freeze Program from \$42,890 to \$60,000 for Qualified Montgomery County Citizens

Reports Filed:

1. Airport Quarterly Report – 4th Quarter FY23
2. Building & Codes Monthly Reports
3. Budget Approval from Comptroller's Office
4. Driver's Safety Program Quarterly Report
5. Financial Report FY23 – County Clerk
6. Financial Report FY23 – General Sessions, Circuit Court, Juvenile Court
7. Financial Report FY23 – Register of Deeds
8. Financial Report FY23 – Clerk & Master, Chancery Court
9. Financial Report FY23 – County Trustee
10. Financial Report FY23 – Sheriff's Office
11. Highway Dept. FY23 Inventory List
12. Capital Projects Quarterly Report
13. Trustee's Monthly Report
14. Accounts & Budgets Monthly Reports

The Board was adjourned at 6:38 P.M.

Submitted by:

Teresa Cottrell

Teresa Cottrell
County Clerk



**County Clerk's Report
September 11, 2023**

Comes Teresa Cottrell, County Clerk, Montgomery County, Tennessee, and presents the County Clerk's Report for the month of August 2023.

I hereby request that the persons named on the list of new applicants to the office of Notary Public be elected. The Oaths of the Judicial Commissioner, Deputy County Officials, and Sheriff's Deputies are approved as taken.

This report shall be spread upon the minutes of the Board of County Commissioners.

This the 11th day of September 2023.

Teresa Cottrell by
County Clerk Tiffany Byard CO



OATH OF JUDICIAL COMMISSIONER

NAME	OFFICE	DATE
Darlene A. Sample	Judicial Commissioner	08/01/2023

OATHS OF DEPUTY COUNTY OFFICIALS

NAME	OFFICE	DATE
Tessa Ruggles	Deputy Circuit Court Clerk	08/01/2023
Rashida Manchouck	Deputy Trustee I	08/01/2023
Brandie Spears	Deputy Trustee I	08/01/2023
Brittnye R. Horton	Deputy Assessor of Property	08/23/2023

OATHS OF DEPUTIES SHERIFF

NAME	OFFICE	DATE
Kendall Tyrell	Deputy Sheriff	08/08/2023
Angel Arellano	Deputy Sheriff	08/11/2023
Kayla Carver	Deputy Sheriff	08/11/2023
Hunter Earhart	Deputy Sheriff	08/11/2023
Sugely Estrada	Deputy Sheriff	08/11/2023
James Finch	Deputy Sheriff	08/11/2023
Mark Freedlund	Deputy Sheriff	08/11/2023
Jeran Greer	Deputy Sheriff	08/11/2023
Lynette Hairston-Bryant	Deputy Sheriff	08/11/2023
Chase Haynie	Deputy Sheriff	08/11/2023
Kandice Hearn	Deputy Sheriff	08/11/2023
David Hogan	Deputy Sheriff	08/11/2023
TaSauna Hunt	Deputy Sheriff	08/11/2023
Teresa LePape	Deputy Sheriff	08/11/2023
Angelic Lopez-Olivera	Deputy Sheriff	08/11/2023
Harley Mann	Deputy Sheriff	08/11/2023
Madison Mann	Deputy Sheriff	08/11/2023
Kyle Mattson	Deputy Sheriff	08/11/2023
Elvira Perez-Alvarado	Deputy Sheriff	08/11/2023
Lane Setterlund	Deputy Sheriff	08/11/2023
Phillip Shingler	Deputy Sheriff	08/11/2023
Rozelle Smith	Deputy Sheriff	08/11/2023
Jacob Thiesen	Deputy Sheriff	08/11/2023
Kaylonnie Tipton	Deputy Sheriff	08/11/2023
Deion Warren	Deputy Sheriff	08/11/2023
Brianna Wiemelt	Deputy Sheriff	08/11/2023
Savannah York	Deputy Sheriff	08/11/2023
John Denardi	Deputy Sheriff	08/22/2023
Kaleb Dvorak	Deputy Sheriff	08/22/2023
Brian Halley	Deputy Sheriff	08/22/2023
Caleb Rozet	Deputy Sheriff	08/22/2023
Robert Wilkins	Deputy Sheriff	08/22/2023

MONTGOMERY COUNTY CLERK
TERESA COTTRELL COUNTY CLERK
350 PAGEANT LANE SUITE 502
CLARKSVILLE TN 37040
Telephone 931-648-5711
Fax 931-572-1104

Notaries to be elected September 11, 2023

NAME	HOME ADDRESS AND PHONE	BUSINESS ADDRESS AND PHONE
1. KLEANTHIS NICHOLAS ANDREADAKIS	146 JOHN DUKE TYLER BLVD CLARKSVILLE TN 37043 931 933 3860	
2. ANGELA R BELCHER	306 LONGWOOD CT CLARKSVILLE TN 37043 931 237 0273	1009 GALLATIN PIKE S MADISON TN 37115 615-515-2201
3. HANNAH BELCHER	2392 ELLSWORTH DR CLARKSVILLE TN 37043 931-278-4995	1009 GALLATIN PIKE S MADISON TN 37115 615-515-2207
4. YOLANDA BICKHAM	869 COUNTRYWOOD DR ADAMS TN 37010 254-760-4809	
5. LAVONTAY BRIMM	525 NEPTUNE DR APT 1024 CLARKSVILLE TN 37042 931 444 4700	1477 TINY TOWN RD CLARKSVILLE TN 37042 931 436 2140
6. MARTHA J BROCKMAN	102 ARROWOOD CT CLARKSVILLE TN 37042 931 237 7104	
7. KENDRA BROWN	732 JERSEY DRIVE CLARKSVILLE TN 37043 864 510 8190	209 10TH AVE S SUITE 350 NASHVILLE TN 37203 888 929 7774
8. HOUSTON I BUCKLEY II	905 LUTZ LANE 37042 615-999-3655	
9. PATRICIA CARSON	1667 HORSESHOE CAVE DR CLARKSVILLE TN 37042 219 713 9136	
10. SHEREE CHESTER	132 SHADY MAPLE DR CLARKSVILLE TN 37043 864 367 8994	
11. SANDRA KAY CUMMINGS	816 DIXIE BEE RD ADAMS TN 37010 931 241 1564	816 DIXIE BEE RD ADAMS TN 37010 931 241 1564
12. ELIZABETH DAILEY	170 ALEXANDER BLVD CLARKSVILLE TN 37040 931 980 8387	424 CHURCH ST NASHVILLE TN 37219 931 980 8387

MONTGOMERY COUNTY CLERK
TERESA COTTRELL COUNTY CLERK
350 PAGEANT LANE SUITE 502
CLARKSVILLE TN 37040
Telephone 931-648-5711
Fax 931-572-1104

Notaries to be elected September 11, 2023

NAME	HOME ADDRESS AND PHONE	BUSINESS ADDRESS AND PHONE
13. HOLLY DANIEL	2698 DAVIDSON GRAVEYARD ROAD CLARKSVILLE TN 37040 931 551 6506	651 DUNLOP LANE CLARKSVILLE TN 37040 931 502 3235
14. KRYSTAL DAY	611 OVERTON DR CLARKSVILLE TN 37042 803 616 6951	2250 WILMA RUDOLPH BLVD CLARKSVILLE TN 37040 931 906 9030
15. MENSAH M DZEDIKU	154 CITADEL CT CLARKSVILLE TN 37042 254-317-3489	
16. APRIL D ELLIOTT	117 COLSON RD DOVER TN 37058 931-249-5723	330 PAGEANT LANE CLARKSVILLE TN 37040 931-648-5747
17. JULIE ESTES	1944 SYDNEY LOUISE DR CLARKSVILLE TN 37042 209-304-8141	230 W DUNBAR CAVE RD CLARKSVILLE TN 37040 9312060040
18. AMINAH J EYIOWUAWI	3921 GAIN DR CLARKSVILLE TN 37040 931.346.3405	1814 TINY TOWN RD CLARKSVILLE TN 37040 9315721296
19. DEXTER J. GEORGE	2836 SHARPIE DR CLARKSVILLE TN 37040 931 436 4659	2836 SHARPIE DR CLARKSVILLE TN 37040 9313463881
20. RACHEL L GIVENS	2380 OLD ASHLAND CITY RD CLARKSVILLE TN 37043 832-244-2430	8110 ISABELLA LN STE 200 BRENTWOOD TN 37024 615-333-7712
21. JACQUELINE K GONZALEZ	2655 UNION HALL RD APT G10 CLARKSVILLE TN 37040 561-502-4442	
22. PAOLA G MEDINA	983 BOBCAT DR CLARKSVILLE TN 37042 931 302 4701	2700 WILMA RUDOLPH BLVD CLARKSVILLE TN 37040 931 552 8686
23. TYLER GUY	713 HIGH PLAINS DRIVE CLARKSVILLE TN 37043 931 206 8948	212 MADISON STREET CLARKSVILLE TN 37040 931 552 0110
24. TANYA HALL BUCKLEY	905 LUTZ LANE CLARKSVILLE TN 37042 615-878-1758	7259 BINGHAM JCT BLVD MIDVALE UT 84047 800-466-0637

MONTGOMERY COUNTY CLERK
TERESA COTTRELL COUNTY CLERK
350 PAGEANT LANE SUITE 502
CLARKSVILLE TN 37040
Telephone 931-648-5711
Fax 931-572-1104

Notaries to be elected September 11, 2023

NAME	HOME ADDRESS AND PHONE	BUSINESS ADDRESS AND PHONE
25. DONNA HARRISON	479 BABBURG DR CLARKSVILLE TN 37040 931 302 3350	
26. EMELIE P JACKMAN	1224 JUNIPER PASS CLARKSVILLE TN 37043 931-257-0971	2840 BASTOGNE AVE FORT CAMPBELL KY 42223
27. ASHER JOHNSON	681 RINGGOLD RD CLARKSVILLE TN 37042 309-945-3275	2250 WILMA RUDOLPH BLVD STE F CLARKSVILLE TN 37040 931 906 9050
28. KRISTY M KILLEBREW	3775 LAKE RD WOODLAWN TN 37191 931 624 2576	350 PAGEANT LANE STE 502 CLARKSVILLE TN 37040 931 648 5711
29. LISA KNIGHT	1634 DAVIS MILL RD TRENTON KY 42286 931 241 2925	25 JEFFERSON ST SUITE 300 CLARKSVILLE TN 37040 931-647-2331
30. JEWELL LANGFORD	1553 OGBURN CHAPEL RD CLARKSVILLE TN 37042 931 801 6203	260 DOVER RD CLARKSVILLE TN 37042 931 245 3068
31. JESSICA LEGGS	779 HERITAGE POINTE CIR CLARKSVILLE TN 37042 931 591 1712	
32. JARVIS R LOWE	3774 NADIA COURT CLARKSVILLE TN 37040 931-367-1453	
33. KIMBERLY MICHELLE MCADORY	335 GREENWOOD AVE APT 704 CLARKSVILLE TN 37040 860 405 5413	335 GREENWOOD AVE CLARKSVILLE TN 37040 860 405 5413
34. CORIANA MCDONALD	2 LYNNWOOD CIR CLARKSVILLE TN 37040 512 757 1690	750 SUNLOP LN CLARKSVILLE TN 37040 931 906 8686
35. MIKAYLA MCGUIRE	4549 KELLY ST UNIT A FORT CAMPBELL KY 42223 931 249 9361	1206 HWY 48 CLARKSVILLE TN 37040 931 920 1550
36. CHARBETH P MILLS	2204-A MADISON STREET CLARKSVILLE TN 37040 770 630 4832	2204-A MADISON STREET CLARKSVILLE TN 37043 931-503-1921

MONTGOMERY COUNTY CLERK
TERESA COTTRELL COUNTY CLERK
350 PAGEANT LANE SUITE 502
CLARKSVILLE TN 37040
Telephone 931-648-5711
Fax 931-572-1104

Notaries to be elected September 11, 2023

NAME	HOME ADDRESS AND PHONE	BUSINESS ADDRESS AND PHONE
37. ASHLEY J MINTON	816 J GRESHAM RD HOPKINSVILLE KY 42240 270 348 1407	800 BARGE POINT RD CLARKSVILLE TN 37042 931 572 0093
38. ISHAH MORAGA	226 HAWKINS RD CLARKSVILLE TN 37040 916-899-4409	
39. JESSICA C MORGAN	4193 STATION RD CUNNINGHAM TN 37052 931 561 4647	1410 GOLF CLUB LANE CLARKSVILLE TN 37040 931 648 0817
40. ALICIA MOSS	708 WINDING BLUFF WAY CLARKSVILLE TN 37040 931 220 2101	44 VANTAGE WAY NASHVILLE TN 37228
41. APRIL MURPHY	1039 BRITTON SPRINGS ROADD CLARKSVILLE TN 37042 615-517-9684	2523 WILMA RUDOLPH BLVD CLARKSVILLE TN 37040 9315529030
42. KRISTEN NUTT SMITH	580 HERITAGE POINTE DR UNIT 70 CLARKSVILLE TN 37042 609 468 9720	2250 WILMA RUDOLPH BLVD CLARKSVILLE TN 37040 931 906 9030
43. VALERIE E OGLE	19 DALEWOOD DR CLARKSVILLE TN 37042 931 216 0891	100 S SPRING ST CLARKSVILLE TN 37040 931 645 7426
44. ARIC PHIPPS	1316 BARBARA DR CLARKSVILLE TN 37043 931-802-0088	1960 MADISON ST STE J CLARKSVILLE TN 37043 931 905 1997
45. KILEY PIANIS	1403 LAKEVIEW RD CLARKSVILLE TN 37040 931-436-4044	490 DUNLOP LN BLDG 2 CLARKSVILLE TN 37040 931 245 7002
46. TYRAH S POWELL	513 LUXURY DR CLARKSVILLE TN 37043 901-651-6126	
47. SHARON PUCKETT	1735 LOCK B ROAD S CLARKSVILLE TN 37043 931 387 2205	1854 MEMORIAL DRIVE CLARKSVILLE TN 37043 931 552 2030
48. ESTHER RAYGOZA	1212 USSERY RD S CLARKSVILLE TN 37040 931-980-5386	135 FRANKLIN STREET CLARKSVILLE TN 37040 931 645 3888

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Notaries to be elected September 11, 2023

NAME	HOME ADDRESS AND PHONE	BUSINESS ADDRESS AND PHONE
49. JULLIE REASONS	1339 MORNING STAR DR CLARKSVILLE TN 37042 731 571 1014	1983 FORT CAMPBELL BLVD CLARKSVILLE TN 37042 931 906 3005
50. ROSE REAVES	971 RUSSET DR CLARKSVILLE TN 37040 954 329 7441	
51. TRACIE RILEY	111 W MEADOW DR CLARKSVILLE TN 37043 504 258 1534	2215 MADISON ST CLARKSVILLE TN 37043 931 645 2565
52. L. RUBLE	3359 LYLEWOOD RD WOODLAWN TN 37191 931-980-47483	135 CENTER POINTE DR CLARKSVILLE TN 37040
53. MEGAN RYE	885 POTTERS LN CLARKSVILLE TN 37040 931-220-3656	100 S SPRING ST CLARKSVILLE TN 37040 9316457426
54. M. SALVAGE	770 NEEDMORE RD APT 40 CLARKSVILLE TN 37040 931-444-4356	3402 CAINLO DR STE 900 CLARKSVILLE TN 37042 931-614-0877
55. JULIE SEAY	3350 SHILOH CANAAN RD PALMYRA TN 37142 931 241 7053	220 HWY 76 CLARKSVILLE TN 37043 931 552 0181
56. TINA SHINN	327 ELLINGTON DR CLARKSVILLE TN 37043 270.350.1945	112 CENTER COURT STE A CLARKSVILLE TN 37040 615 686 2521
57. MELISA SMITH	128 SHADY MAPLE DR CLARKSVILLE TN 37043 931 358 9755	1 MILLENNIUM PLAZA CLARKSVILLE TN 37040 931 648 5787
58. NICOLE SMITH	302 WINDRUSH DR CLARKSVILLE TN 37042 931-801-7385	2050 LOWES DR CLARKSVILLE TN 37042 9314316800
59. DAVELYN SORRELES	708 FORREST COVE CT CLARKSVILLE TN 37040 931 338 1594	2625 WILMA RUDOLPH BLVD CLARKSVILLE TN 37040 931 920 6538
60. C. MICHELLE STRATTON	305 CREEK VALLEY WAY CLARKSVILLE TN 37040 615.513.5398	
61. JESSICA TODD	312 KINGSWOOD CT CLARKSVILLE TN 37043 615 556 7827	310 N FIRST ST CLARKSVILLE TN 37040 931-503-1695

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Notaries to be elected September 11, 2023

NAME	HOME ADDRESS AND PHONE	BUSINESS ADDRESS AND PHONE
62. COURTNEY WAUFLE	1022 WATERFORD CT CLARKSVILLE TN 37040 931-360-1744	101 HATCHER LN STE B CLARKSVILLE TN 37043 931-919-8778
63. RENEE L WHITE	1067 MOONEYHAN RD EXT SPRINGFIELD TN 37172 615.947.2789	2625 WILMA RUDOLPH BLVD CLARKSVILLE TN 37040 931 920 6531
64. BRANDI WILHELM	1732 PORT ROYAL RD CLARKSVILLE TN 37043 931-220-2869	240 KRAFT ST CLARKSVILLE TN 37040 931-647-1597
65. LESLIE WILSON	1263 JUNIPER PASS 37043 615-705-8606	1263 JUNIPER PASS 37043
66. LAURA WILSON	875 LENNOX RD CLARKSVILLE TN 37042 629-239-3313	1229 LEBANON PIKE NASHVILLE TN 37210 615 864 1702

COUNTY MAYOR APPOINTMENTS

September 11, 2023

BUDGET COMMITTEE

_____ appointed, as Mayor Pro Tempore, to serve a one-year term to expire September 2024.

_____ appointed to fill the unexpired term of _____, with term to expire January _____.

CHAPLAIN OF THE LEGISLATIVE BODY

Commissioner _____ nominated to serve as the Chaplain of the Montgomery County Legislative Body for a term of one-year, with term to expire September 2024.

REGIONAL HISTORIC ZONING COMMISSION

_____ nominated to fill the unexpired term of Craig Rogers, with term to expire September 2026.

NOMINATING COMMITTEE

September 11, 2023

CHAIRPERSON OF LEGISLATIVE BODY

_____ nominated as Chairperson of the County Legislative Body to serve a one- year term to expire September 2024.

CHAIRPERSON PRO TEMPORE

Commissioner _____ nominated to serve as the Chairperson Pro Tempore for a one-year term to expire September 2024.

COMMITTEE ON INVESTMENT

Commissioner _____ nominated to replace Commissioner David Harper for a two-year term with term to expire September 2025,

Commissioner _____ nominated to replace Commissioner John Gannon for a two-year term with term to expire September 2025,

COUNTY HISTORIAN

_____ nominated to replace Eleanor Williams as the County Historian for an eight-year term with term to expire January 2032.

DEPUTY COUNTY HISTORIAN

_____ nominated to replace Jill Hastings-Johnson as Deputy County Historian for an eight-year term with term to expire January 2032.



Montgomery County Government
Building and Codes Department
350 Pageant Lane Suite 309
Clarksville, TN 37040

Phone
931-648-5718

Fax
931-553-5121

Memorandum

TO: Wes Golden, County Mayor
FROM: Rod Streeter, Building Commissioner *RS*
DATE: September 1, 2023
SUBJ: August 2023 PERMIT REVENUE REPORT

The number of permits issued in August 2023 is as follows: Building Permits 102, Grading Permits 2, Mechanical Permits 72, and Plumbing Permits 50 for a total of 226 permits.

The total cost of construction was \$16,153,720.00. The revenue is as follows: Building Permits \$56,227.44, Grading Permits \$960.00, Plumbing Permits \$5,000.00, Mechanical Permits: \$6,450.00 Plans Review \$2,115.00, BZA \$1,750.00, Re-Inspections \$2,450.00, Pre-Inspection \$0.00, Safety Inspection \$0.00, and Miscellaneous Fines \$0.00 the total revenue received in August 2023 was \$74,952.44.

FISCAL YEAR 2023/2024 TOTALS TO DATE:

NUMBER OF SINGLE FAMILY PERMITS:	70
COST OF CONSTRUCTION:	\$452,513,202.00
NUMBER OF BUILDING PERMITS:	212
NUMBER OF PLUMBING PERMITS:	95
NUMBER OF MECHANICAL PERMITS:	132
NUMBER OF GRADING PERMITS:	2
BUILDING PERMITS REVENUE:	\$909,683.50
PLUMBING PERMIT REVENUE:	\$9,500.00
MECHANICAL PERMIT REVENUE:	\$12,000.00
GRADING PERMIT REVENUE:	\$960.00
RENEWAL FEES:	\$250.00
PLANS REVIEW FEES:	\$380,163.00
BZA FEES:	\$2,000.00
RE-INSPECTION FEES:	\$3,050.00
PRE-INSPECTION FEES:	\$0.00
SAFETY INSPECTION FEES:	\$25.00
MISCELLANEOUS FINES:	\$0.00
MISC REFUNDS	\$0.00
SWBA	\$0.00
TOTAL REVENUE:	\$1,317,381.50

RS/bf

cc: Wes Golden, County Mayor
Jeff Taylor, Accounts and Budgets
Teresa Cottrell, County Clerk



Montgomery County Government

Building and Codes Department

350 Pageant Lane Suite 309
Clarksville, TN 37040

Phone
931-648-5718

Fax
931-553-5121

Memorandum

TO: Wes Golden, County Mayor
FROM: Rod Streeter, Building Commissioner *RS*
DATE: September 1, 2023
SUBJ: August 2023 ADEQUATE FACILITIES TAX REPORT

The total number of receipts issued in August 2023 is as follows: City 380 and County 61 for a total of 441.

There were 128 receipts issued on single-family dwellings, 18 receipts issued on multi-family dwellings with a total of 309 units, 0 receipts issued on condominiums with a total of 0 units, 0 receipts issued on townhouses. There were 3 exemption receipt issued.

The total taxes received for August 2023 was \$219,000.00

The total refunds issued for August 2023 was \$0.00.

Total Adequate Facilities Tax Revenue for August 2023 was \$219,000.00

FISCAL YEAR 2023/2024 TOTALS TO DATE:

TOTAL NUMBER OF Adequate Facilities Tax Receipts Issued:	City:	644
	County:	97
	Total:	741
TOTAL REFUNDS:		\$0.00
TOTAL TAXES RECEIVED:		\$369,000.00

<u>NUMBER OF LOTS AND DWELLINGS ISSUED</u>	<u>CITY</u>	<u>COUNTY</u>	<u>TOTAL</u>
LOTS 5 ACRES OR MORE:	0	7	7
SINGLE-FAMILY DWELLINGS:	152	67	219
MULTI-FAMILY DWELLINGS (36 Receipts):	492	20	203
CONDOMINIUMS: (0 Receipts)	0	0	0
TOWNHOUSES:	0	0	0
EXEMPTIONS: (3 Receipts)	0	3	3
REFUNDS ISSUED: (0 Receipt)	(0)	(0)	(0)

RS/bf

cc: Wes Golden, County Mayor
 Jeff Taylor, Accounts and Budgets
 Teresa Cottrell, County Clerk