

**MINUTES
OF
PUTNAM COUNTY COMMISSION
FEBRUARY 20, 2007**

Prepared by:

**Wayne Nabors
Putnam County Clerk
29 N Washington Avenue
Cookeville, TN 38501
931/526-7106**

STATE OF TENNESSEE

COUNTY OF PUTNAM

BE IT REMEMBERED: that on February 20, 2007 a regular meeting of the Putnam County Board of Commissioners was held.

There were present and presiding the Chairman Bill Walker and County Clerk, Wayne Nabors.

The Chairman Bill Walker called the meeting to order and asked for a moment of silence in remembrance of Kaye Martin.

The Chairman recognized County Clerk Wayne Nabors for the invocation.

The Chairman recognized Commissioner Reggie Shanks to lead the Pledge to the Flag of the United States of America.

The Chairman asked the Commissioners to signify their presence at the meeting and the following Commissioners were present:

PRESENT

David Randolph
Larry Epps
Bob Duncan
Jim Martin
Jerry Ford
Scott McCanless
Andy Honeycutt
Marson McCormick
Johnnie Wheeler
Anna Ruth Burroughs
Reggie Shanks
Joel Cowan
Mike Medley
Joe Trobaugh
Eris Bryant
Sue Neal
Dale Moss
Greg Rector
Kevin Maynard
Gene Mullins
Jere Mason
Bill Walker
Mike Atwood
Ron Chaffin

The Clerk announced that twenty-four (24) were present and zero (0) were absent. Therefore, the Chairman declared a quorum.

MOTION RE: APPROVAL OF AGENDA

Commissioner Johnnie Wheeler moved and Commissioner Jere Mason seconded to approve the agenda for the February 20, 2007 meeting of the Putnam County Board of Commissioners.

(SEE ATTACHED)



Please note that the Commission will be meeting on Tuesday,
February 20, 2007, due to President's Day being on Monday.

AGENDA

PUTNAM COUNTY BOARD OF COMMISSIONERS

Regular Monthly Session
Tuesday, February 20, 2007 6:00PM

Presiding: Honorable Bill Walker
Commission Chairman

1. Call to Order - Sheriff David Andrews
2. Invocation *District 6*
3. Pledge to the Flag of the United States of America *District 6*
4. Roll Call - County Clerk Wayne Nabors
5. Approval of the Agenda
6. Approval of the Minutes of Previous Meeting
7. Unfinished Business and Action Thereon by the Board
 - A. Report of Standing Committees
 1. Planning Committee
 2. Fiscal Review Committee
 3. Nominating Committee
 - B. Report of Special Committees
 - C. Other Unfinished Business
 1. Ratification of County Executive Kim Blaylock's 2 additional members to the Budget Committee as follows:
Eris Bryant
David Randolph
8. Quarterly Reports and Action Thereon by the Board
 - A. Road Fund - Billy Joe Lamb, Road Supervisor
 - B. School Funds - ~~Michael Martin~~ ^{MICHAEL GOOLSBY}, Director of Schools
 - C. County General Fund, Debt Service Fund, and Solid Waste Sanitation Fund, and Self Insurance Fund - Kim Blaylock, County Executive
9. New Business and Action Thereon by the Board
 - A. Report of Standing Committees
 1. Planning Committee
 - a. Recommends approval that the E-911 addresses on Hilham Road on the west side going north, be changed to North Washington.
 - b. Recommends approval that the County build a turnaround cul de sac at Malone Lane.

- c. Recommends approval that the following roads in Brittney Place Phase II Subdivision and Creekwood Phase II Subdivision be accepted by Putnam County Roads:

Brittney Circle	Curtis Way
Greenbrook Drive	Curtiswood Court
Holland Drive	Evelyn Court
Holland Court	

- d. Recommends approval of the Putnam County Flood Damage Prevention Resolution.
- e. Recommends approval of adopting the Code of Ethics for Officials and ~~Employees~~ ^{EMPLOYEES} of Putnam County Government.
- f. Recommends approval of a Resolution Adopting the Putnam County Multi-Jurisdictional Hazard Mitigation Plan.

2. Fiscal Review Committee

- a. Recommends approval of a budget amendment to the General Purpose School Fund as presented.
- b. Recommends approval of budget amendments to the County General Fund in the amount of \$35,420.
- c. Recommends approval of the budget amendment to the Drug Control Fund in the amount of \$10,000.
- d. Recommends approval to purchase a Rapiscan 515 X-Ray machine for the Justice Center in the amount of \$22,000 with funding coming from Fund Balance. *(amendment enclosed with packet)*
- e. Recommends to table the request from Mediation Services for \$2,500.

3. Nominating Committee

- a. Recommends approval that Kerry King replace Mel Maxwell on the Agricultural Extension Committee. This is a two year term to expire January 2009.
- b. Recommends that the term for the Nashville Eastern Railroad Committee be set at 4 years. This term will expire February 2011.
- c. Recommends the following to serve on the Awards Committee:
- Commissioner Anna Ruth Burroughs
 - Commissioner Reggie Shanks
 - Commissioner Larry Epps
 - Commissioner Johnnie Wheeler
 - Commissioner Mike Atwood
 - Gail Glover, Trustee
 - Diane Callahan, Chamber of Commerce

B. Report of Special Committees

C. Resolutions

D. Election of Notaries

E. Other New Business

1. Hear a report from the Rules Committee

9. Announcements and Statements

10. Adjourn

THE BUDGET COMMITTEE WILL HAVE A BRIEF ORGANIZATIONAL MEETING AFTER FULL COMMISSION.

The Chairman asked for questions on the motion. There were none.

The Chairman asked for a voice vote on the motion to approve the agenda for the February 20, 2007 meeting of the Putnam County Board of Commissioners. The motion carried.

MOTION RE: APPROVAL OF MINUTES

Commissioner Bob Duncan moved and Commissioner Johnnie Wheeler seconded to approve the minutes of the January 16, 2007 meeting of the Putnam County Board of Commissioners.

The Chairman asked for questions on the motion. There were none.

The Chairman asked for a voice vote on the motion to approve the minutes of the January 16, 2007 meeting of the Putnam County Board of Commissioners. The motion carried.

UNFINISHED BUSINESS AND ACTION THEREON BY THE BOARD

REPORT OF STANDING COMMITTEES

PLANNING COMMITTEE: No unfinished business.

FISCAL REVIEW COMMITTEE: No unfinished business.

NOMINATING COMMITTEE: No unfinished business.

REPORT OF SPECIAL COMMITTEES

OTHER UNFINISHED BUSINESS

MOTION RE: RATIFICATION OF COUNTY EXECUTIVE KIM BLAYLOCK'S 2 ADDITIONAL MEMBERS TO THE BUDGET COMMITTEE AS FOLLOWS:

**ERIS BRYANT
DAVID RANDOLPH**

Commissioner Jere Mason moved and Commissioner Jerry Ford seconded to approve the ratification of Kim Blaylock's 2 additional members to the Budget Committee as follows: Eris Bryant and David Randolph.

The Chairman asked for questions on the motion. There were none.

The Chairman asked for a voice vote on the motion to approve the ratification of Kim Blaylock's 2 additional members to the Budget Committee as follows: Eris Bryant and David Randolph. The motion carried

QUARTERLY REPORTS AND ACTION THEREON BY THE BOARD

MOTION RE: APPROVE QUARTERLY REPORTS FOR THE ROAD FUND

Commissioner Jere Mason moved and Commissioner Johnnie Wheeler seconded to approve the Quarterly Reports for the Road Fund.

(SEE ATTACHED)

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**PUTNAM COUNTY HIGHWAY DEPARTMENT
QUARTERLY REPORT FOR OCT., NOV., AND DEC., 2006**

ROAD FUND 2006-2007

REVENUE:

<u>REVENUE CODE NUMBERS</u>	<u>ESTIMATED</u>	<u>1ST. QUARTER</u>	<u>2ND. QUARTER</u>	<u>TOTALS</u>	<u>UNREALIZED</u>
40000.110 - 43000.320 LOCAL TAXES	1,306,740	13,504	490,639	504,143	802,597
44000.130 - 44000.990 OTHER LOCAL	3,000	896	734	1,430	1,570
46000.410 - 46000.930 STATE REVENUE	2,672,125	342,188	685,633	1,027,821	1,644,304
47000.100 - 47000.142 OTHER GOVT	0	0	0	0	0
TOTAL REVENUE	3,981,865	356,388	1,177,006	1,533,394	2,448,471
FUND BALANCE JULY 1	884,512				
TOTAL AVAILABLE FUNDS	4,866,377				

EXPENDITURES:

<u>EXPENDITURES CODE NUMBERS</u>	<u>ESTIMATED</u>	<u>1ST. QUARTER</u>	<u>2ND. QUARTER</u>	<u>TOTALS</u>	<u>UNENCUMBERED</u>
61000 ADMINISTRATION	260,079	69,862	58,486	128,348	131,731
62000 ROAD CONST. & MAINT.	2,375,102	716,894	470,250	1,187,144	1,187,958
63100 OPER. & MAINT. OF EQUIP.	325,263	74,534	51,680	126,214	199,049
65000 OTHER CHARGES	186,161	116,078	27,456	143,534	42,627
68000 CAPITAL OUTLAY	997,720	0	176,214	176,214	821,506
TOTAL EXPENDITURES	4,144,325	977,368	784,086	1,761,454	2,382,871

The Chairman asked for questions on the motion. There were none.

The Chairman asked for a voice vote on the motion to approve the Quarterly Reports for the Road Fund. The motion carried.

MOTION RE: APPROVE QUARTERLY REPORTS FOR SCHOOL FUND

Commissioner Bob Duncan moved and Commissioner Jim Martin seconded to approve the Quarterly Reports for the School Fund.

(SEE ATTACHED)

Department of Education
Putnam County

Michael Goolsby, Interim Director of Schools

Board of Education

Jerry Maynard, Chairman
Daren Shanks, Vice-Chairman

1400 East Spring Street
Cookeville, TN 38506-4313
Phone: (931) 526-9777
Director/Board Fax: (931) 528-6942

Board Members

Robert V. Crabtree
Dr. Walter Derryberry
David McCormick
Roger Williams

January 26, 2007

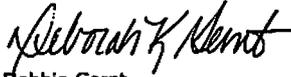
Honorable Commissioners
Putnam County Courthouse
Cookeville, TN 38501

JAN 26 2007

Honorable Commissioners:

Please consider approval of the enclosed quarterly report of the Putnam County Board of Education during your next monthly meeting. This report represents the quarter ending December 31, 2006.

Sincerely,



Debbie Gernt
Assistant Director
Personnel & Business Services

Enclosures: 2

**PUTNAM COUNTY BOARD OF EDUCATION
GENERAL PURPOSE SCHOOL FUND
QUARTERLY REPORT FOR THE QUARTER ENDING DECEMBER 2006**

Revenues:	2006-2007 Budget	Actual Revenues Jul-Sept 2006	Actual Revenues Oct-Dec 2006	Actual Revenues Jan-Mar 2007	Actual Revenues Apr-Jun 2007	Total Revenues Year to Date
40000 Local Revenue	25,811,474	3,792,131	6,896,750	-	-	10,688,881
41000 License Permits	6,000	1,577	1,425	-	-	3,002
43000 Current Services	254,473	41,646	75,446	-	-	117,092
44000 Other Local Revenue	68,500	2,767	5,493	-	-	8,260
46500 State of Tennessee	32,444,322	6,381,022	9,884,276	-	-	16,265,297
46800 Other State Revenues	115,000	30,900	30,050	-	-	60,950
46980 Other State Grants	2,165,547	87,583	556,950	-	-	644,533
47100 Federal Thru State	731,726	12,270	84,688	-	-	96,958
49000 Other Sources	637,230	100,421	141,123	-	-	241,543
	<u>62,234,271</u>	<u>10,450,317</u>	<u>17,676,200</u>	<u>-</u>	<u>-</u>	<u>28,126,517</u>

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**PUTNAM COUNTY BOARD OF EDUCATION
GENERAL PURPOSE SCHOOL FUND
QUARTERLY REPORT FOR THE QUARTER ENDING DECEMBER 2006**

Expenditures:	2006-2007	Actual	Actual	Actual	Actual	Total
	Budget	Expenditures Jul-Sept 2006	Expenditures Oct-Dec 2006	Expenditures Jan-Mar 2007	Expenditures Apr-Jun 2007	Expenditures Year to Date
71100 Regular Education	31,333,116	6,267,410	7,321,983	0	0	13,589,393
71150 Alternative Education	370,355	65,846	88,883	0	0	154,729
71200 Special Education	5,510,941	958,989	1,312,501	0	0	2,271,490
71300 Vocational Education	1,060,529	184,765	269,614	0	0	454,379
71600 Adult Education	158,855	38,053	33,793	0	0	71,846
72110 Attendance	95,663	21,378	22,046	0	0	43,424
72120 Health Services	569,915	112,359	143,941	0	0	256,300
72130 Other Student Services	1,714,184	292,166	382,680	0	0	674,846
72210 Regular Ed. Support	1,836,694	357,001	414,042	0	0	771,043
72215 Alternative Ed. Support	99,801	15,996	24,053	0	0	40,048
72220 Special Ed. Support	517,972	150,516	159,064	0	0	309,580
72230 Vocational Ed. Support	102,146	24,745	26,655	0	0	51,400
72260 Adult Ed. Support	123,356	39,892	28,204	0	0	68,096
72310 Board of Education	1,412,949	205,471	848,200	0	0	1,053,671
72320 Office of the Director	483,954	121,331	85,643	0	0	206,974
72410 Office of Principal	3,578,793	697,712	888,858	0	0	1,586,570
72510 Fiscal Services	433,892	125,795	102,226	0	0	228,021
72610 Operation of Plant	5,884,644	2,130,105	1,080,074	0	0	3,210,179
72620 Maintenance of Plant	1,483,854	551,109	360,398	0	0	911,507
72710 Transportation	2,196,410	377,680	476,870	0	0	854,550
72810 Central & Other Support	660,982	181,992	158,746	0	0	340,738
73100 Food Services	171,562	38,869	42,898	0	0	81,766
73300 Community Services	1,108,219	71,186	88,045	0	0	159,230
73300 Early Childhood Education	1,325,482	237,887	340,341	0	0	578,228
91300 Education Capital Projects	0	0	0	0	0	0
99100 Operating Transfers	0	0	0	0	0	0
TOTAL	62,234,269	13,268,254	14,699,756	0	0	27,968,011

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The Chairman asked for questions on the motion. There were none.

The Chairman asked for a voice vote on the motion to approve Quarterly Reports for the School Fund. The motion carried.

MOTION RE: APPROVE QUARTERLY REPORTS FOR THE COUNTY GENERAL FUND, DEBT SERVICE FUND, SOLID WASTE SANITATION FUND, AND SELF INSURANCE FUND.

Commissioner Jere Mason moved and Commissioner Jerry Ford seconded to approve Quarterly Reports for the County General Fund, Debt Service Fund, Solid Waste Sanitation Fund, and Self Insurance Fund.

(SEE ATTACHED)

//

DEBT SERVICE BUDGET - 2006-2007
Statement of Revenues and Expenditures
Period Ending December 31, 2006

REVENUES:	TOTAL ESTIMATED	<u>REC'D THRU 12-31-2006</u>	<u>BALANCE</u>
40000 Local Taxes	8,400,056.00	3,683,845.05	4,716,210.95
44000 Other Local Revenues	440,051.00	263,293.61	176,757.39
49000 Operating Transfers	<u>729,444.00</u>	<u>0.00</u>	<u>729,444.00</u>
TOTAL REVENUES	<u>9,569,551.00</u>	<u>3,947,138.66</u>	<u>5,622,412.34</u>
Estimated Fund Balance-June 30, 2006	14,869,426.00		
EXPENDITURES:	TOTAL ESTIMATED	<u>PAID THRU 12-31-2006</u>	<u>BALANCE</u>
82000 Education Debt	8,367,415.00	22,008.97	8,345,406.03
99100 Transfers Out	<u>6,390,051.00</u>	<u>4,186,129.23</u>	<u>2,203,921.77</u>
TOTAL EXPENDITURES	<u>14,757,466.00</u>	<u>4,208,138.20</u>	<u>10,549,327.80</u>

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PUTNAM \ JNTY SELF INSURANCE FUND
 FUND BALANCE SUMMARY FOR 2006 - 2007
 As of December 31, 2006

und Balance as of September 30, 2006		1,691,421.99
LUS: Departmental Deposits	74,931.50	
Interest	16,251.99	
	91,183.49	
ESS: Liability Claims	24,021.59	
Work Comp Claims	102,850.94	
Medical Records	420.00	
Claim Adjuster Fees	1,307.90	
Legal Fees	33,846.02	
Court Reporter & Court Costs	0.00	
Insurance	61,806.00	
Management fee	6,500.00	
Quarterly Safety Awards	0.00	
Liability Reserve Increase	0.00	
(Decrease) this period	0.00	
Work Comp Reserve Increase	-11,898.51	
(Decrease) this period	218,853.94	
Ending Fund Balance as of December 31, 2006		1,563,751.54

CASH SUMMARY

=====		
Checking account balance as of 12/31/2006	1,244,424.58	
Certificate of Deposit as of 12/31/2006	1,500,000.00	
Work Comp Claim Payment Account 12/31/2006	2,673.58	
Outstanding checks: Ck 1624	-2,396.73	
Ck 1750	-8,502.00	
Ck 1751	-20.00	
Ending Cash Balance as of 12/31/2006		2,736,179.43
Less: Open Liability Claim Reserves as of 12/31/2006		-295,000.00
Open Work Comp Claim Reserves as of 12/31/2006		-877,427.89
Ending Fund Balance as of December 31, 2006		1,563,751.54

Number of Open Liability Claims as of December 31, 2006	6
Number of Open Work Comp Claims as of December 31, 2006	43

Trustee shows checks 1684 (\$75) & 1687 (\$75) outstanding, but checks were voided.
 Therefore, Fund Balance shown above is \$150 more than Trustee's Fund Balance.

This report was prepared by BB&T - Legge Insurance on 02/06/2007

The Chairman asked for questions on the motion. There were none.

The Chairman asked for a voice vote on the motion to approve Quarterly Reports for the County General Fund, Debt Service Fund, Solid Waste Sanitation Fund, and Self-Insurance Fund. The motion carried.

NEW BUSINESS AND ACTION THEREON BY THE BOARD

REPORT OF STANDING COMMITTEES

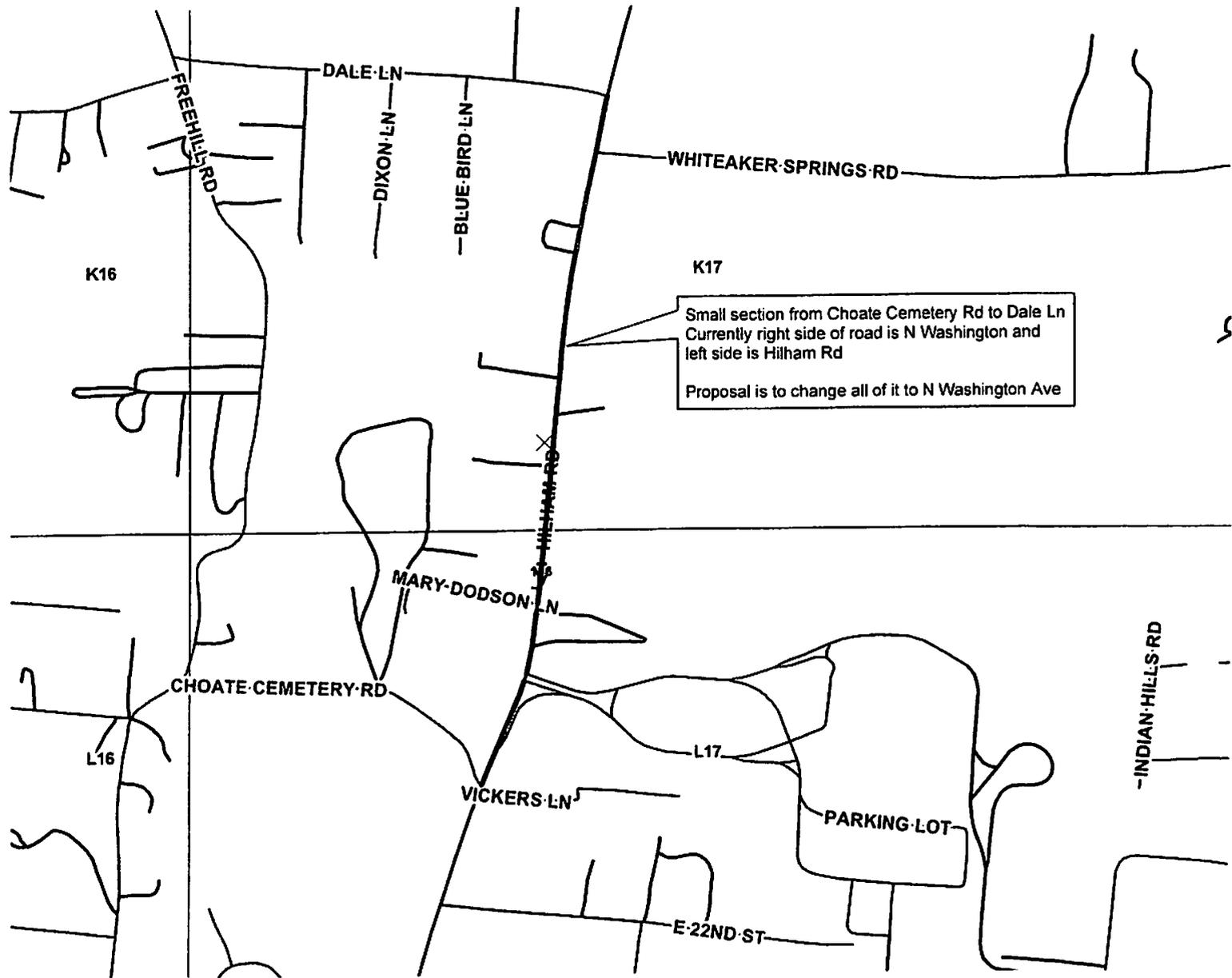
PLANNING COMMITTEE

MOTION RE: THE PLANNING COMMITTEE RECOMMENDS APPROVAL THAT THE E-911 ADDRESSES ON HILHAM ROAD ON THE WEST SIDE GOING NORTH, BE CHANGED TO NORTH WASHINGTON

Commissioner Jere Mason moved and Commissioner Mike Medley seconded to approve that the E-911 addresses on Hilham Road on the west side going north, be changed to North Washington.

(SEE ATTACHED)

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The Chairman asked for questions on the motion. There were none.

The Chairman asked for a voice vote on the motion to approve that the E-911 addresses on Hilham Road on the west side going north, be changed to North Washington. The motion carried.

MOTION RE: THE PLANNING COMMITTEE RECOMMENDS APPROVAL THAT THE COUNTY BUILD A TURNAROUND CUL DE SAC AT MALONE LANE

Commissioner Jere Mason moved and Commissioner Anna Ruth Burroughs seconded to approve that the county build a turnaround cul de sac at Malone Lane.

The Chairman asked for questions on the motion. There were none.

The Chairman asked for a voice vote on the motion to approve that the county build a turnaround cul de sac at Malone Lane. The motion carried.

MOTION RE: THE PLANNING COMMITTEE RECOMMENDS APPROVAL THAT THE FOLLOWING ROADS IN BRITTNEY PLACE PHASE II SUBDIVISION AND CREEKWOOD PHASE II SUBDIVISION BE ACCEPTED AS COUNTY ROADS:

BRITTNEY CIRCLE	CURTIS WAY
GREENBROOK DRIVE	CURTISWOOD COURT
HOLLAND DRIVE	EVELYN COURT
HOLLAND COURT	

Commissioner Jere Mason moved and Commissioner Mike Medley seconded to approve that the following roads in Brittney Place Phase II Subdivision and Creekwood Phase II Subdivision be accepted as County Roads: Brittney Circle, Greenbrook Drive, Holland Drive, Holland Court, Curtis Way, Curtiswood Court, and Evelyn Court.

(SEE ATTACHED)

MEMORANDUM

TO: Debbie Francis, Putnam County Board of Commissioners
Jerry Mason, Putnam County Planning Committee & Road Committee Chairman
Putnam County Courthouse
Cookeville, TN. 38501

Mr. Red Lamb, Road Supervisor
Putnam County Highway Department
505 Jeffrey Circle
Cookeville, TN 38501

JAN 16 2007

FROM: Ken Young, Staff Planner

DATE: January 10, 2007

SUBJECT: ROADS TO BE CONSIDERED FOR ACCEPTANCE AS COUNTY ROADS

The following roads have been constructed to the county road specifications in accordance with the Putnam County Subdivision Regulations. I have attached a copy of the final inspection report and the signed warranty contracts. The Putnam County Regional Planning Commission recommended at the December 5, 2006 meeting that the following roads be accepted as a county roads and be placed on the Official County Road List and Map:

- | | | |
|----|------------------|---|
| 1. | Brittney Circle | <i>(located within Brittney Place Phase II Subdivision)</i> |
| 2. | Greenbrook Drive | <i>(located within Creekwood Phase II Subdivision)</i> |
| 3. | Holland Drive | <i>(located within Creekwood Phase II Subdivision)</i> |
| 4. | Holland Court | <i>(located within Creekwood Phase II Subdivision)</i> |
| 5. | Curtis Way | <i>(located within Creekwood Phase II Subdivision)</i> |
| 6. | Curtiswood Court | <i>(located within Creekwood Phase II Subdivision)</i> |
| 7. | Evelyn Court | <i>(located within Creekwood Phase II Subdivision)</i> |

If you have any questions or comments concerning this matter, please contact me at the Local Planning Assistance Office at 528-1577 at your convenience.


Ken Young
Community Planner

Cc: Greg Brown, Putnam County Regional Planning Commission Chairman

WARRANTY CONTRACT

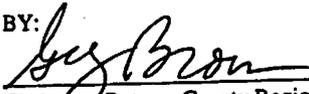
1. **WARRANTY.** The developer/subdivider hereby warrants materials and workmanship for a period of one year following the dedication of all street (public way) related improvements to the county, and will cause the contractor to provide the same warranty to the county. This warranty includes all streets and related improvements situated within such rights-of-way located within the CREEKWOOD Subdivision, (Phase II) as shown on the attached plat. This warranty includes any defects to any material installed and includes any actions performed on the job which would cause the construction and installation of required improvements to no longer meet the specifications under which the streets, curbs, shoulders, and other drainage improvements located within the right(s)-of-way of such street(s) were originally installed.
2. **INSPECTION OF IMPROVEMENTS.** It shall be the responsibility of the county engineer to make a final inspection of all public way improvements no less than forty-five days before the expiration date of this warranty contract. If all required improvements are determined to be in satisfactory condition, the county engineer shall notify the planning commission thereof in writing. On relating these findings to the planning commission, the planning commission shall recommend acceptance of such improvements to the Putnam County Board of Commissioners, which when officially ratified will terminate any further responsibility of the developer/subdivider with regard to the subdivision or the particular phase of the subdivision in question. If on the other hand, there remain deficiencies and/or defects in regard to all required improvements within the street right(s)-of-way, it shall be the responsibility of the county engineer to notify the county attorney or designated representative to send a notice to the developer/subdivider, in order that all remaining defects or deficiencies be rectified prior to the expiration of this warranty contract. It shall be the responsibility of the county engineer to make a follow-up site inspection prior to the expiration of the warranty contract in order to determine if all deficiencies have been addressed, and report back to the planning commission in writing prior to its next regular monthly meeting, as to the disposition of all necessary public way improvements. If the county engineer determines that deficiencies or defects have not been corrected, he or a designated representative shall contact the county attorney in order that the necessary legal action be initiated in this regard.
3. **EFFECTIVE AND EXPIRATION DATES.** For the purposes of this warranty contract, the effective date of execution is 12-7, 2006. Accordingly, the expiration date thereof shall be one year following the effective date or 12-7, 2007.
4. **INDEMNITY.** The developer/subdivider shall indemnify and hold the county harmless from all loss, costs, expenses, liability, money damages, penalties or claims arising out of any work covered by this agreement, including any attorney fees incurred in connection herewith. Inspection of the improvements by the county engineer shall not constitute a waiver by the county of any defect or of any of the developer's/subdivider's obligations hereunder. The developer/subdivider will pay any such costs within ten (10) days of receipt of notice of such costs given by the county to the developer/subdivider.
5. **REMEDIES.** In the event of a default in the performance by either party of its obligation hereunder, the other party, in addition to any and all remedies set forth herein, shall be entitled to all remedies provided by law or in equity, including the remedy of specific performance or injunction.
6. **BINDING EFFECT.** The covenants and agreements herein contained shall bind and endure to the benefit of the parties hereto, their respective heirs, personal representatives, successors and assigns, as appropriate.

7. **ATTORNEYS FEES AND OTHER COSTS.** The developer/subdivider shall pay all costs and expenses, including the county's attorney fees, of any legal proceedings brought by the county against the developer/subdivider seeking remedies for the developer's/subdivider's failure to perform any of his or her obligations hereunder, whether or not any proceedings are prosecuted to judgement.
8. **ENTIRE AGREEMENT.** This agreement contains the entire agreement between the parties and there are no collateral understandings or agreements between them, and no variations or alterations of the terms of this agreement. This agreement shall be binding upon either of the parties, unless the same be reduced to writing and made an amendment to this agreement.
9. **HEADINGS.** Paragraph titles and headings contained herein are inserted for convenience only and shall not be deemed a part of the agreement, and in no way shall define, limit, extend, or describe the scope or intent of any provision hereof.
10. **NOTICES.** Any notice or other communication required to be given hereunder shall be in writing and delivered personally or sent by United States Certified Mail, return receipt requested, or sent by Federal Express Delivery Service, addressed to the county at _____, and addressed to the developer/subdivider at the address set forth in the Addendum, or such other address as either party may hereafter give the other.

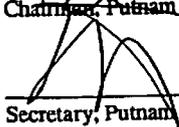
IN WITNESS WHEREOF, the parties hereto have caused this instrument to be executed in multiple originals by persons properly authorized to do so on or as of the day and year first given.

FOR PUTNAM COUNTY:

BY:

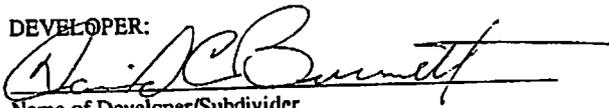


 Chairman, Putnam County Regional Planning Commission



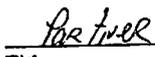
 Secretary, Putnam County Regional Planning Commission

DEVELOPER:



 Name of Developer/Subdivider

BY:



 Title

APPROVED AS TO FORM AND CONTENT:

 Putnam County Attorney

SUBDIVISION SUMMARY

NAME: Creekwood Subdivision Phase II

ROAD NAMES: Greenbrook Drive, Holland Drive, Holland Court, Curtis Way, Curtis Drive, Curtiswood Court and Evelyn Court.

PRELIMINARY APPROVAL GRANTED: 1-10-06

FINAL APPROVAL GRANTED: 12-5-06

PLAT SIGNED BY ENGINEER: 12-7-06.

BOND AMOUNT: A Letter of Credit was not required. Road was completed prior to granting Final Approval.

SUBGRADE: Soft spots identified in the subgrade were cut out and replaced with rock.

UTILITIES: Water line laterals were installed prior to installing base. Utilities under road appear to have been backfilled with rock.

BASE: Base was inspected prior to paving. Base was 26' wide as required and a minimum of 6" thick at locations checked.

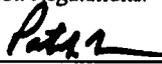
ASPHALT: Road was paved by Highways, Inc. on 11-20-06 and 11-21-06. Asphalt was inspected after installation. Width was 20' as required. Thickness along edge was a minimum of 2".

SHOULDER STONE: Shoulder stone has been applied.

WARRANTY CONTRACT: Status of Warranty Contract is unknown to me.

COMMENTS: Highways identified and replaced a few areas where the asphalt was damaged. Due to humps in the asphalt near the back of the cul-de-sac on Evelyn court, 2" of additional asphalt was installed over the existing asphalt on the entire cul-de-sac. These areas and drainage will be monitored and corrected as required under Warranty.

Based on my limited observations and other information available to me, the road(s) in this subdivision were constructed in general conformance with the Putnam County Subdivision Regulations.



Patrick Rinks, PE, County Engineer
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30 North Jefferson Avenue
Cookeville, Tennessee 38501
(T) 931-528-5543 - (F) 931-528-5544
patrick@rinks-consulting.com

12-7-06

Date

WARRANTY CONTRACT

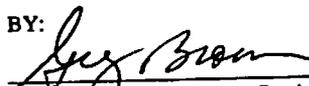
1. **WARRANTY.** The developer/subdivider hereby warrants materials and workmanship for a period of one year following the dedication of all street (public way) related improvements to the county, and will cause the contractor to provide the same warranty to the county. This warranty includes all streets and related improvements situated within such rights-of-way located within the BRITTNEY PLACE Subdivision, (Phase II) as shown on the attached plat. This warranty includes any defects to any material installed and includes any actions performed on the job which would cause the construction and installation of required improvements to no longer meet the specifications under which the streets, curbs, shoulders, and other drainage improvements located within the right(s)-of-way of such street(s) were originally installed.
2. **INSPECTION OF IMPROVEMENTS.** It shall be the responsibility of the county engineer to make a final inspection of all public way improvements no less than forty-five days before the expiration date of this warranty contract. If all required improvements are determined to be in satisfactory condition, the county engineer shall notify the planning commission thereof in writing. On relating these findings to the planning commission, the planning commission shall recommend acceptance of such improvements to the Putnam County Board of Commissioners, which when officially ratified will terminate any further responsibility of the developer/subdivider with regard to the subdivision or the particular phase of the subdivision in question. If on the other hand, there remain deficiencies and/or defects in regard to all required improvements within the street right(s)-of-way, it shall be the responsibility of the county engineer to notify the county attorney or designated representative to send a notice to the developer/subdivider, in order that all remaining defects or deficiencies be rectified prior to the expiration of this warranty contract. It shall be the responsibility of the county engineer to make a follow-up site inspection prior to the expiration of the warranty contract in order to determine if all deficiencies have been addressed, and report back to the planning commission in writing prior to its next regular monthly meeting, as to the disposition of all necessary public way improvements. If the county engineer determines that deficiencies or defects have not been corrected, he or a designated representative shall contact the county attorney in order that the necessary legal action be initiated in this regard.
3. **EFFECTIVE AND EXPIRATION DATES.** For the purposes of this warranty contract, the effective date of execution is 12-7, 2006 Accordingly, the expiration date thereof shall be one year following the effective date or 12-7, 2007
4. **INDEMNITY.** The developer/subdivider shall indemnify and hold the county harmless from all loss, costs, expenses, liability, money damages, penalties or claims arising out of any work covered by this agreement, including any attorney fees incurred in connection herewith. Inspection of the improvements by the county engineer shall not constitute a waiver by the county of any defect or of any of the developer's/subdivider's obligations hereunder. The developer/subdivider will pay any such costs within ten (10) days of receipt of notice of such costs given by the county to the developer/subdivider.
5. **REMEDIES.** In the event of a default in the performance by either party of its obligation hereunder, the other party, in addition to any and all remedies set forth herein, shall be entitled to all remedies provided by law or in equity, including the remedy of specific performance or injunction.
6. **BINDING EFFECT.** The covenants and agreements herein contained shall bind and endure to the benefit of the parties hereto, their respective heirs, personal representatives, successors and assigns, as appropriate.

7. **ATTORNEYS FEES AND OTHER COSTS.** The developer/subdivider shall pay all costs and expenses, including the county's attorney fees, of any legal proceedings brought by the county against the developer/subdivider seeking remedies for the developer's/subdivider's failure to perform any of his or her obligations hereunder, whether or not any proceedings are prosecuted to judgement.
8. **ENTIRE AGREEMENT.** This agreement contains the entire agreement between the parties and there are no collateral understandings or agreements between them, and no variations or alterations of the terms of this agreement. This agreement shall be binding upon either of the parties, unless the same be reduced to writing and made an amendment to this agreement.
9. **HEADINGS.** Paragraph titles and headings contained herein are inserted for convenience only and shall not be deemed a part of the agreement, and in no way shall define, limit, extend, or describe the scope or intent of any provision hereof.
10. **NOTICES.** Any notice or other communication required to be given hereunder shall be in writing and delivered personally or sent by United States Certified Mail, return receipt requested, or sent by Federal Express Delivery Service, addressed to the county at _____, and addressed to the developer/subdivider at the address set forth in the Addendum, or such other address as either party may hereafter give the other.

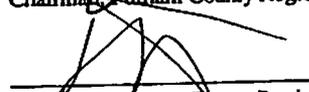
IN WITNESS WHEREOF, the parties hereto have caused this instrument to be executed in multiple originals by persons properly authorized to do so on or as of the day and year first given.

FOR PUTNAM COUNTY:

BY:

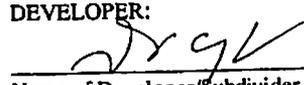


 Chairman, Putnam County Regional Planning Commission



 Secretary, Putnam County Regional Planning Commission

DEVELOPER:



 Name of Developer/Subdivider

BY:

 Title

APPROVED AS TO FORM AND CONTENT:

 Putnam County Attorney

SUBDIVISION SUMMARY

NAME: Brittney Place Phase II

ROAD NAMES: Brittney Circle

PRELIMINARY APPROVAL GRANTED: 12-7-04

FINAL APPROVAL GRANTED: 10-4-05

PLAT SIGNED BY ENGINEER: 10-19-05

BOND AMOUNT: An \$80,000.00 letter of credit was set up to insure completion of the base and asphalt. Letter of Credit was released on 12-7-06.

SUBGRADE: No soft spots were observed in the subgrade.

UTILITIES: No utility inspections were performed by me.

BASE: Base was inspected prior to granting final approval. Base was inspected prior to paving. Base was 26' wide as required and a minimum of 6" thick at locations checked.

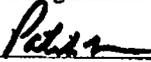
ASPHALT: Road was paved on 10-2-06 and 10-3-06 by Edmonds Paving Company. Asphalt was inspected after installation. Width was 20' as required. Thickness along edge was a minimum of 2".

SHOULDER STONE: Shoulder stone has been applied.

WARRANTY CONTRACT: Status of Warranty Contract is unknown to me.

COMMENTS: Drainage will be monitored and corrected as required under Warranty.

Based on my limited observations and other information available to me, the road(s) in this subdivision were constructed in general conformance with the Putnam County Subdivision Regulations.



12-7-06

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Date

SUBDIVISION SUMMARY

NAME: Creekwood Subdivision Phase II

ROAD NAMES: Greenbrook Drive, Holland Drive, Holland Court, Curtis Way, Curtis Drive, Curtiswood Court and Evelyn Court.

PRELIMINARY APPROVAL GRANTED: 1-10-06

FINAL APPROVAL GRANTED: 12-5-06

PLAT SIGNED BY ENGINEER: 12-7-06.

BOND AMOUNT: A Letter of Credit was not required. Road was completed prior to granting Final Approval.

SUBGRADE: Soft spots identified in the subgrade were cut out and replaced with rock.

UTILITIES: Water line laterals were installed prior to installing base. Utilities under road appear to have been backfilled with rock.

BASE: Base was inspected prior to paving. Base was 26' wide as required and a minimum of 6" thick at locations checked.

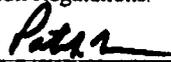
ASPHALT: Road was paved by Highways, Inc. on 11-20-06 and 11-21-06. Asphalt was inspected after installation. Width was 20' as required. Thickness along edge was a minimum of 2".

SHOULDER STONE: Shoulder stone has been applied.

WARRANTY CONTRACT: Status of Warranty Contract is unknown to me.

COMMENTS: Highways identified and replaced a few areas where the asphalt was damaged. Due to humps in the asphalt near the back of the cul-de-sac on Evelyn court, 2" of additional asphalt was installed over the existing asphalt on the entire cul-de-sac. These areas and drainage will be monitored and corrected as required under Warranty.

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patrick@rinks-consulting.com

12-7-06

Date

Go to Planning

SUBDIVISION SUMMARY

NAME: Brittney Place Phase II

ROAD NAMES: Brittney Circle

PRELIMINARY APPROVAL GRANTED: 12-7-04

FINAL APPROVAL GRANTED: 10-4-05

PLAT SIGNED BY ENGINEER: 10-19-05

BOND AMOUNT: An \$80,000.00 letter of credit was set up to insure completion of the base and asphalt. Letter of Credit was released on 12-7-06.

SUBGRADE: No soft spots were observed in the subgrade.

UTILITIES: No utility inspections were performed by me.

BASE: Base was inspected prior to granting final approval. Base was inspected prior to paving. Base was 26' wide as required and a minimum of 6" thick at locations checked.

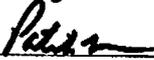
ASPHALT: Road was paved on 10-2-06 and 10-3-06 by Edmonds Paving Company. Asphalt was inspected after installation. Width was 20' as required. Thickness along edge was a minimum of 2".

SHOULDER STONE: Shoulder stone has been applied.

WARRANTY CONTRACT: Status of Warranty Contract is unknown to me.

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Based on my limited observations and other information available to me, the road(s) in this subdivision were constructed in general conformance with the Putnam County Subdivision Regulations.



12-7-06

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Go to Planning

The Chairman asked for questions on the motion. There were none.

The Chairman asked for a voice vote on the motion to approve that the following roads in Brittney Place Phase II Subdivision and Creekwood Phase II Subdivision be accepted as County Roads: Brittney Circle, Greenbrook Drive, Holland Drive, Holland Court, Curtis Way, Curtiswood Court, and Evelyn Court. The motion carried.

MOTION RE: THE PLANNING COMMITTEE RECOMMENDS APPROVAL OF THE PUTNAM COUNTY FLOOD DAMAGE PREVENTION RESOLUTION

Commissioner Jere Mason moved and Commissioner Ron Chaffin seconded to approve the Putnam County Flood Damage Prevention Resolution.

(SEE ATTACHED)

RESOLUTION NO. _____

PUTNAM COUNTY FLOOD DAMAGE PREVENTION RESOLUTION

ARTICLE I. STATUTORY AUTHORIZATION, FINDINGS OF FACT, PURPOSE AND OBJECTIVES

Section A. Statutory Authorization

The Legislature of the State of Tennessee has in Sections 13-7-101 through 13-7-115, Tennessee Code Annotated delegated the responsibility to the county legislative body to adopt floodplain regulations designed to minimize danger to life and property and to allow its citizens to participate in the National Flood Insurance Program. Therefore, the Board of County Commissioners of Putnam County, Tennessee, does resolve as follows:

Section B. Findings of Fact

1. The Putnam County Board of County Commissioners wishes to maintain eligibility in the National Flood Insurance Program and in order to do so must meet the requirements of 60.3 of the Federal Insurance Administration Regulations found at 44 CFR Ch. 1 (10-1-04 Edition).
2. Areas of Putnam County are subject to periodic inundation which could result in loss of life and property, health and safety hazards, disruption of commerce and governmental services, extraordinary public expenditures for flood protection and relief, and impairment of the tax base, all of which adversely affect the public health, safety and general welfare.
3. These flood losses are caused by the cumulative effect of obstructions in floodplains, causing increases in flood heights and velocities; by uses in flood hazard areas which are vulnerable to floods; or construction which is inadequately elevated, flood-proofed, or otherwise unprotected from flood damages.

Section C. Statement of Purpose

It is the purpose of this Resolution to promote the public health, safety and general welfare, and to minimize public and private losses due to flood conditions in specific areas. This Resolution is designed to:

1. Restrict or prohibit uses which are vulnerable to water or erosion hazards, or which result in damaging increases in erosion, flood heights, or velocities;

2. Require that uses vulnerable to floods, including County facilities, be protected against flood damage at the time of initial construction;
3. Control the alteration of natural floodplains, stream channels, and natural protective barriers which are involved in the accommodation floodwaters;
4. Control filling, grading, dredging and other development which may increase flood damage or erosion, and;
5. Prevent or regulate the construction of flood barriers which will unnaturally divert flood waters or which may increase flood hazards to other lands.

Section D. Objectives

The objectives of this Resolution are:

1. To protect human life, health and property;
2. To minimize expenditure of public funds for costly flood control projects;
3. To minimize the need for rescue and relief efforts associated with flooding and generally undertaken at the expense of the general public;
4. To minimize prolonged business interruptions;
5. To minimize damage to public facilities and utilities such as water and gas mains, electric, telephone and sewer lines, streets and bridges located in floodable areas;
6. To help maintain a stable tax base by providing for the sound use and development of flood prone areas in such a manner as to minimize blight in flood areas;
7. To ensure that potential homebuyers are notified that property is in a floodable area; and
8. To maintain eligibility for participation in the National Flood Insurance Program.

ARTICLE II. DEFINITIONS

Unless specifically defined below, words or phrases used in this Resolution shall be interpreted as to give them the meaning they have in common usage and to give this Resolution its most reasonable application given its stated purpose and objectives.

"Accessory Structure" shall represent a subordinate structure to the principal structure and, for the purpose of this section, shall conform to the following:

1. Accessory structures shall not be used for human habitation.
2. Accessory structures shall be designed to have low flood damage potential.
3. Accessory structures shall be constructed and placed on the building site so as to offer the minimum resistance to the flow of floodwaters.
4. Accessory structures shall be firmly anchored to prevent flotation which may result in damage to other structures.
5. Service facilities such as electrical and heating equipment shall be elevated or floodproofed.

"Act" means the statutes authorizing the National Flood Insurance Program that are incorporated in 42 U.S.C. 4001-4128.

"Addition (to an existing building)" means any walled and roofed expansion to the perimeter of a building in which the addition is connected by a common load bearing wall other than a fire wall. Any walled and roofed addition which is connected by a fire wall or is separated by an independent perimeter load-bearing wall shall be considered **"New Construction"**.

"Appeal" means a request for a review of the local enforcement officer's interpretation of any provision of this Resolution or a request for a variance.

"Area of Shallow Flooding" means a designated AO or AH Zone on a community's Flood Insurance Rate Map (FIRM) with one percent or greater annual chance of flooding to an average depth of one to three feet where a clearly defined channel does not exist, where the path of flooding is unpredictable and indeterminate; and where velocity flow may be evident. (Such flooding is characterized by ponding or sheet flow.)

"Area of Special Flood-related Erosion Hazard" is the land within a community which is most likely to be subject to severe flood-related erosion losses. The area may be designated as Zone E on the Flood Hazard Boundary Map (FHBM). After the detailed evaluation of the special flood-related erosion hazard area in preparation for publication of the FIRM, Zone E may be further refined.

"Area of Special Flood Hazard" is the land in the floodplain within a community subject to a one-percent or greater chance of flooding in any given year. The area may be designated as Zone A on the FHBM. After detailed ratemaking has been completed in

preparation for publication of the FIRM, Zone A usually is refined into Zones A, AO, AH, A1-30, AE or A99.

"Base Flood" means the flood having a one percent chance of being equaled or exceeded in any given year.

"Basement" means that portion of a building having its floor subgrade (below ground level) on all sides.

"Breakaway Wall" means a wall that is not part of the structural support of the building and is intended through its design and construction to collapse under specific lateral loading forces, without causing damage to the elevated portion of the building or supporting foundation system.

"Building", means any structure built for support, shelter, or enclosure for any occupancy or storage (See **"Structure"**)

"Development" means any man-made change to improved or unimproved real estate, including, but not limited to, buildings or other structures, mining, dredging, filling, grading, paving, excavating, drilling operations, or permanent storage of equipment or materials.

"Elevated Building" means a non-basement building built to have the lowest floor of the lowest enclosed area elevated above the ground level by means of fill, solid foundation perimeter walls with openings sufficient to facilitate the unimpeded movement of floodwater, pilings, columns, piers, or shear walls adequately anchored so as not to impair the structural integrity of the building during a base flood event.

"Emergency Flood Insurance Program" or **"Emergency Program"** means the program as implemented on an emergency basis in accordance with section 1336 of the Act. It is intended as a program to provide a first layer amount of insurance on all insurable structures before the effective date of the initial FIRM.

"Erosion" means the process of the gradual wearing away of landmasses. This peril is not per se covered under the Program.

"Exception" means a waiver from the provisions of this Resolution which relieves the applicant from the requirements of a rule, regulation, order or other determination made or issued pursuant to this Resolution.

"Existing Construction" means any structure for which the "start of construction" commenced before the effective date of the first floodplain management code or Resolution adopted by the community as a basis for that community's participation in the National Flood Insurance Program (NFIP).

"Existing Manufactured Home Park or Subdivision" means a manufactured home park or subdivision for which the construction

of facilities for servicing the lots on which the manufactured homes are to be affixed (including, at a minimum, the installation of utilities, the construction of streets, final site grading or the pouring of concrete pads) is completed before the effective date of the first floodplain management code or Resolution adopted by the community as a basis for that community's participation in the National Flood Insurance Program (NFIP)).

"Existing Structures" see **"Existing Construction"**.

"Expansion to an Existing Manufactured Home Park or Subdivision" means the preparation of additional sites by the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads).

"Flood" or "Flooding" means a general and temporary condition of partial or complete inundation of normally dry land areas from:

1. The overflow of inland or tidal waters;
2. The unusual and rapid accumulation or runoff of surface waters from any source.

"Flood Elevation Determination" means a determination by the Administrator of the water surface elevations of the base flood, that is, the flood level that has a one percent or greater chance of occurrence in any given year.

"Flood Elevation Study" means an examination, evaluation and determination of flood hazards and, if appropriate, corresponding water surface elevations, or an examination, evaluation and determination of mudslide (i.e., mudflow) or flood-related erosion hazards.

"Flood Hazard Boundary Map (FHBM)" means an official map of a community, issued by the Federal Emergency Management Agency, where the boundaries of areas of special flood hazard have been designated as Zone A.

"Flood Insurance Rate Map (FIRM)" means an official map of a community, issued by the Federal Emergency Management Agency, delineating the areas of special flood hazard or the risk premium zones applicable to the community.

"Flood Insurance Study" is the official report provided by the Federal Emergency Management Agency, evaluating flood hazards and containing flood profiles and water surface elevation of the base flood.

"Floodplain" or **"Flood-prone Area"** means any land area susceptible to being inundated by water from any source (see definition of "flooding").

"Floodplain Management" means the operation of an overall program of corrective and preventive measures for reducing flood damage, including but not limited to emergency preparedness plans, flood control works and floodplain management regulations.

"Flood Protection System" means those physical structural works for which funds have been authorized, appropriated, and expended and which have been constructed specifically to modify flooding in order to reduce the extent of the area within a community subject to a "special flood hazard" and the extent of the depths of associated flooding. Such a system typically includes hurricane tidal barriers, dams, reservoirs, levees or dikes. These specialized flood modifying works are those constructed in conformance with sound engineering standards.

"Floodproofing" means any combination of structural and nonstructural additions, changes, or adjustments to structures which reduce or eliminate flood damage to real estate or improved real property, water and sanitary facilities, structures and their contents.

"Flood-related Erosion" means the collapse or subsidence of land along the shore of a lake or other body of water as a result of undermining caused by waves or currents of water exceeding anticipated cyclical levels or suddenly caused by an unusually high water level in a natural body of water, accompanied by a severe storm, or by an unanticipated force of nature, such as a flash flood, or by some similarly unusual and unforeseeable event which results in flooding.

"Flood-related Erosion Area" or **"Flood-related Erosion Prone Area"** means a land area adjoining the shore of a lake or other body of water, which due to the composition of the shoreline or bank and high water levels or wind-driven currents, is likely to suffer flood-related erosion damage.

"Flood-related Erosion Area Management" means the operation of an overall program of corrective and preventive measures for reducing flood-related erosion damage, including but not limited to emergency preparedness plans, flood-related erosion control works and flood plain management regulations.

"Floodway" means the channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than a designated height.

"Floor" means the top surface of an enclosed area in a building (including basement), i.e., top of slab in concrete slab construction or top of wood flooring in wood frame construction.

The term does not include the floor of a garage used solely for parking vehicles.

"Freeboard" means a factor of safety usually expressed in feet above a flood level for purposes of floodplain management. "Freeboard" tends to compensate for the many unknown factors that could contribute to flood heights greater than the height calculated for a selected size flood and floodway conditions, such as wave action, bridge openings and the hydrological effect of urbanization of the watershed.

"Functionally Dependent Use" means a use which cannot perform its intended purpose unless it is located or carried out in close proximity to water. The term includes only docking facilities, port facilities that are necessary for the loading and unloading of cargo or passengers, and ship building and ship repair facilities, but does not include long-term storage or related manufacturing facilities.

"Highest Adjacent Grade" means the highest natural elevation of the ground surface, prior to construction, adjacent to the proposed walls of a structure.

"Historic Structure" means any structure that is:

1. Listed individually in the National Register of Historic Places (a listing maintained by the U.S. Department of Interior) or preliminary determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register;
2. Certified or preliminarily determined by the Secretary of the Interior as contributing to the historical significance of a registered historic district or a district preliminarily determined by the Secretary to qualify as a registered historic district;
3. Individually listed on the Tennessee inventory of historic places and determined as eligible by states with historic preservation programs which have been approved by the Secretary of the Interior; or
4. Individually listed on a local inventory of historic places and determined as eligible by communities with historic preservation programs that has been certified either:
 - a. By an approved state program as determined by the Secretary of the Interior, or
 - b. Directly by the Secretary of the Interior.

"Levee" means a man-made structure, usually an earthen embankment, designed and constructed in accordance with sound

engineering practices to contain, control, or divert the flow of water so as to provide protection from temporary flooding.

"Levee System" means a flood protection system, which consists of a levee, or levees, and associated structures, such as closure, and drainage devices, which are constructed and operated in accordance with sound engineering practices.

"Lowest Floor" means the lowest floor of the lowest enclosed area, including a basement. An unfinished or flood resistant enclosure used solely for parking of vehicles, building access or storage in an area other than a basement area is not considered a building's lowest floor; provided, that such enclosure is not built so as to render the structure in violation of the applicable non-elevation design requirements of this Resolution.

"Manufactured Home" means a structure, transportable in one or more sections, which is built on a permanent chassis and designed for use with or without a permanent foundation when attached to the required utilities. The term **"Manufactured Home"** does not include a **"Recreational Vehicle"**, unless such transportable structures are placed on a site for 180 consecutive days or longer.

"Manufactured Home Park or Subdivision" means a parcel (or contiguous parcels) of land divided into two or more manufactured home lots for rent or sale.

"Map" means the Flood Hazard Boundary Map (FHBM) or the Flood Insurance Rate Map (FIRM) for a community issued by the Agency.

"Mean Sea Level" means the average height of the sea for all stages of the tide. It is used as a reference for establishing various elevations within the floodplain. For the purposes of this Resolution, the term is synonymous with National Geodetic Vertical Datum (NGVD) or other datum, to which base flood elevations shown on a community's Flood Insurance Rate Map are referenced.

"National Geodetic Vertical Datum (NGVD)" as corrected in 1929 is a vertical control used as a reference for establishing varying elevations within the floodplain.

"New Construction" means any structure for which the "start of construction" commenced after the effective date of this Resolution or the effective date of the first floodplain management Resolution and includes any subsequent improvements to such structure.

"New Manufactured Home Park or Subdivision" means a manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including at a minimum, the installation of utilities, the construction of streets, and either final site grading or the

pouring of concrete pads) is completed after the effective date of this Resolution or the effective date of the first floodplain management Resolution and includes any subsequent improvements to such structure.

"North American Vertical Datum (NAVD)" as corrected in 1988 is a vertical control used as a reference for establishing varying elevations within the floodplain.

"100-year Flood" see **"Base Flood"**.

"Person" includes any individual or group of individuals, corporation, partnership, association, or any other entity, including State and local governments and agencies.

"Recreational Vehicle" means a vehicle which is:

1. Built on a single chassis;
2. 400 square feet or less when measured at the largest horizontal projection;
3. Designed to be self-propelled or permanently towable by a light duty truck; and
4. Designed primarily not for use as a permanent dwelling but as temporary living quarters for recreational, camping, travel, or seasonal use.

"Regulatory Floodway" means the channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than a designated height.

"Riverine" means relating to, formed by, or resembling a river (including tributaries), stream, brook, etc.

"Special Hazard Area" means an area having special flood, mudslide (i.e., mudflow) and/or flood-related erosion hazards, and shown on an FHBM or FIRM as Zone A, AO, A1-30, AE, A99, or AH.

"Start of Construction" includes substantial improvement, and means the date the building permit was issued, provided the actual start of construction, repair, reconstruction, rehabilitation, addition, placement, or other improvement was within 180 days of the permit date. The actual start means either the first placement of permanent construction of a structure (including a manufactured home) on a site, such as the pouring of slabs or footings, the installation of piles, the construction of columns, or any work beyond the stage of excavation; and includes the placement of a manufactured home on a foundation. (Permanent construction does not include initial land preparation, such as clearing, grading and filling; nor does

it include the installation of streets and/or walkways; nor does it include excavation for a basement, footings, piers, or foundations or the erection of temporary forms; nor does it include the installation on the property of accessory buildings, such as garages or sheds, not occupied as dwelling units or not part of the main structure. For a substantial improvement, the actual start of construction means the first alteration of any wall, ceiling, floor, or other structural part of a building, whether or not that alteration affects the external dimensions of the building.

"State Coordinating Agency" The Tennessee Department of Economic and Community Development's, Local Planning Assistance Office as designated by the Governor of the State of Tennessee at the request of the Administrator to assist in the implementation of the National Flood Insurance Program for the state.

"Structure", for purposes of this section, means a walled and roofed building that is principally above ground, a manufactured home, a gas or liquid storage tank, or other man-made facilities or infrastructures.

"Substantial Damage" means damage of any origin sustained by a structure whereby the cost of restoring the structure to its before damaged condition would equal or exceed 50 percent of the market value of the structure before the damage occurred.

"Substantial Improvement" means any repairs, reconstruction's, rehabilitation's, additions, alterations or other improvements to a structure, taking place during a 5-year period, in which the cumulative cost equals or exceeds fifty percent of the market value of the structure before the "start of construction" of the improvement. The market value of the structure should be (1) the appraised value of the structure prior to the start of the initial repair or improvement, or (2) in the case of damage, the value of the structure prior to the damage occurring. This term includes structures which have incurred "substantial damage", regardless of the actual repair work performed.

For the purpose of this definition, "Substantial Improvement" is considered to occur when the first alteration of any wall, ceiling, floor or other structural part of the building commences, whether or not that alteration affects the external dimensions of the building. The term does not, however, include either: (1) Any project for improvement of a structure to correct existing violations of state or local health, sanitary, or safety code specifications which have been pre-identified by the local code enforcement official and which are the minimum necessary to assure safe living conditions and not solely triggered by an improvement or repair project or; (2) Any alteration of a "historic structure", provided that the alteration will not preclude the structure's continued designation as a "historic structure".

"Substantially Improved Existing Manufactured Home Parks or Subdivisions" is where the repair, reconstruction, rehabilitation or improvement of the streets, utilities and pads equals or exceeds 50 percent of the value of the streets, utilities and pads before the repair, reconstruction or improvement commenced.

"Variance" is a grant of relief from the requirements of this Resolution which permits construction in a manner otherwise prohibited by this Resolution where specific enforcement would result in unnecessary hardship.

"Violation" means the failure of a structure or other development to be fully compliant with the community's floodplain management regulations. A structure or other development without the elevation certificate, other certification, or other evidence of compliance required in this Resolution is presumed to be in violation until such time as that documentation is provided.

"Water Surface Elevation" means the height, in relation to the National Geodetic Vertical Datum (NGVD) of 1929, (or other datum, where specified) of floods of various magnitudes and frequencies in the floodplains of riverine areas.

ARTICLE III. GENERAL PROVISIONS

Section A. Application

This Resolution shall apply to all areas within the unincorporated area of Putnam County, Tennessee.

Section B. Basis for Establishing the Areas of Special Flood Hazard

The Areas of Special Flood Hazard identified on the Putnam County, Tennessee, Federal Emergency Management Agency, Flood Insurance Study (FIS) and Flood Insurance Rate Map (FIRM), Community Panel Numbers 47141C0025D, 47141C0050D, 47141C0075D, 47141C0095D, 47141C0100D, 47141C0120D, 47141C0125D, 47141C0130D, 47141C0135D, 47141C0140D, 47141C0145D, 47141C0170D, 47141C0175D, 47141C0200D, 47141C0225D, 47141C0250D, 47141C0275D, 47141C0285D, 47141C0300D, 47141C0305D, 47141C0325D, 47141C0350D, 47141C0375D and 47141C0400D, dated May 16, 2007, along with all supporting technical data, are adopted by reference and declared to be a part of this Resolution.

Section C. Requirement for Development Permit

A development permit shall be required in conformity with this Resolution prior to the commencement of any development activities.

Section D. Compliance

No land, structure or use shall hereafter be located, extended, converted or structurally altered without full compliance with the terms of this Resolution and other applicable regulations.

Section E. Abrogation and Greater Restrictions

This Resolution is not intended to repeal, abrogate, or impair any existing easements, covenants, or deed restrictions. However, where this Resolution conflicts or overlaps with another regulatory instrument, whichever imposes the more stringent restrictions shall prevail.

Section F. Interpretation

In the interpretation and application of this Resolution, all provisions shall be: (1) considered as minimum requirements; (2) liberally construed in favor of the governing body, and; (3) deemed neither to limit nor repeal any other powers granted under Tennessee statutes.

Section G. Warning and Disclaimer of Liability

The degree of flood protection required by this Resolution is considered reasonable for regulatory purposes and is based on scientific and engineering considerations. Larger floods can and will occur on rare occasions. Flood heights may be increased by man-made or natural causes. This Resolution does not imply that land outside the Areas of Special Flood Hazard or uses permitted within such areas will be free from flooding or flood damages. This Resolution shall not create liability on the part of Putnam County, Tennessee or by any officer or employee thereof for any flood damages that result from reliance on this Resolution or any administrative decision lawfully made hereunder.

Section H. Penalties for Violation

Violation of the provisions of this Resolution or failure to comply with any of its requirements, including violation of conditions and safeguards established in connection with grants of variance shall constitute a misdemeanor punishable as other misdemeanors as provided by law. Each day such violation continues shall be considered a separate offense. Nothing herein contained shall prevent Putnam County, Tennessee from taking such other lawful actions to prevent or remedy any violation.

ARTICLE IV. ADMINISTRATION

Section A. Designation of Resolution Administrator

The Putnam County Building Inspector is hereby appointed as the Administrator to implement the provisions of this Resolution.

Section B. Permit Procedures

Application for a development permit shall be made to the Administrator on forms furnished by the community prior to any development activities. The development permit may include, but is not limited to the following: plans in duplicate drawn to scale and showing the nature, location, dimensions, and elevations of the area in question; existing or proposed structures, earthen fill placement, storage of materials or equipment, and drainage facilities. Specifically, the following information is required:

1. Application stage

- a. Elevation in relation to mean sea level of the proposed lowest floor, including basement, of all buildings where BFE's are available, or to the highest adjacent grade when applicable under this Resolution.
- b. Elevation in relation to mean sea level to which any non-residential building will be flood-proofed where BFE's are available, or to the highest adjacent grade when applicable under this Resolution.
- c. Design certificate from a registered professional engineer or architect that the proposed non-residential flood-proofed building will meet the flood-proofing criteria in Article IV. Section B.
- d. Description of the extent to which any watercourse will be altered or relocated as a result of proposed development.

2. Construction Stage

Within unnumbered A zones, where flood elevation data are not available, the Administrator shall record the elevation of the lowest floor on the development permit. The elevation of the lowest floor shall be determined as the measurement of the lowest floor of the building relative to the highest adjacent grade.

For all new construction and substantial improvements, the permit holder shall provide to the Administrator an as-built certification of the regulatory floor elevation

or floodproofing level upon the completion of the lowest floor or floodproofing. Within unnumbered A zones, where flood elevation data is not available, the elevation of the lowest floor shall be determined as the measurement of the lowest floor of the building relative to the highest adjacent grade.

Any lowest floor certification made relative to mean sea level shall be prepared by or under the direct supervision of, a registered land surveyor and certified by same. When floodproofing is utilized for a non-residential building said certification shall be prepared by or under the direct supervision of, a professional engineer or architect and certified by same.

Any work undertaken prior to submission of the certification shall be at the permit holder's risk. The Administrator shall review the above-referenced certification data. Deficiencies detected by such review shall be corrected by the permit holder immediately and prior to further work being allowed to proceed. Failure to submit the certification or failure to make said corrections required hereby, shall be cause to issue a stop-work order for the project.

Section C. Duties and Responsibilities of the Administrator

Duties of the Administrator shall include, but not be limited to:

1. Review of all development permits to assure that the permit requirements of this Resolution have been satisfied, and that proposed building sites will be reasonably safe from flooding.
2. Advice to permittee that additional federal or state permits may be required, and if specific federal or state permit requirements are known, require that copies of such permits be provided and maintained on file with the development permit. This shall include Section 404 of the Federal Water Pollution Control Act Amendments of 1972, 33 U. S. C. 1334.
3. Notification to adjacent communities and the Tennessee Department of Economic and Community Development, Local Planning Assistance Office, prior to any alteration or relocation of a watercourse, and submission of evidence of such notification to the Federal Emergency Management Agency.
4. For any altered or relocated watercourse, submit engineering data/analysis within six (6) months to the Federal Emergency Management Agency to ensure accuracy of community flood maps through the Letter of Map Revision process. Assure that the flood carrying capacity within

an altered or relocated portion of any watercourse is maintained.

5. Record the elevation, in relation to mean sea level or the highest adjacent grade, where applicable of the lowest floor including basement of all new or substantially improved buildings, in accordance with Article IV. Section B.
6. Record the actual elevation; in relation to mean sea level or the highest adjacent grade, where applicable to which the new or substantially improved buildings have been flood-proofed, in accordance with Article IV. Section B.
7. When flood proofing is utilized for a structure, the Administrator shall obtain certification of design criteria from a registered professional engineer or architect, in accordance with Article IV. Section B.
8. Where interpretation is needed as to the exact location of boundaries of the areas of special flood hazard (for example, where there appears to be a conflict between a mapped boundary and actual field conditions) the Administrator shall make the necessary interpretation. Any person contesting the location of the boundary shall be given a reasonable opportunity to appeal the interpretation as provided in this Resolution.
9. When base flood elevation data or floodway data have not been provided by the Federal Emergency Management Agency then the Administrator shall obtain, review and reasonably utilize any base flood elevation and floodway data available from a Federal, State, or other sources, including data developed as a result of these regulations, as criteria for requiring that new construction, substantial improvements, or other development in Zone A on the Community FIRM meet the requirements of this Resolution.

Within unnumbered A zones, where base flood elevations have not been established and where alternative data is not available, the Administrator shall require the lowest floor of a building to be elevated or floodproofed to a level of at least three (3) feet above the highest adjacent grade (lowest floor and highest adjacent grade being defined in Article II of this Resolution). All applicable data including elevations or flood proofing certifications shall be recorded as set forth in Article IV. Section B.

10. All records pertaining to the provisions of this Resolution shall be maintained in the office of the Administrator and shall be open for public inspection.

Permits issued under the provisions of this Resolution shall be maintained in a separate file or marked for expedited retrieval within combined files.

ARTICLE V. PROVISIONS FOR FLOOD HAZARD REDUCTION

Section A. General Standards

In all flood prone areas the following provisions are required:

1. New construction and substantial improvements to existing buildings shall be anchored to prevent flotation, collapse or lateral movement of the structure;
2. Manufactured homes shall be elevated and anchored to prevent flotation, collapse, or lateral movement. Methods of anchoring may include, but are not limited to, use of over-the-top or frame ties to ground anchors. This standard shall be in addition to and consistent with applicable state requirements for resisting wind forces;
3. New construction and substantial improvements to existing buildings shall be constructed with materials and utility equipment resistant to flood damage;
4. New construction or substantial improvements to existing buildings shall be constructed by methods and practices that minimize flood damage;
5. All electrical, heating, ventilation, plumbing, air conditioning equipment, and other service facilities shall be designed and/or located so as to prevent water from entering or accumulating within the components during conditions of flooding;
6. New and replacement water supply systems shall be designed to minimize or eliminate infiltration of flood waters into the system;
7. New and replacement sanitary sewage systems shall be designed to minimize or eliminate infiltration of flood waters into the systems and discharges from the systems into flood waters;
8. On-site waste disposal systems shall be located and constructed to avoid impairment to them or contamination from them during flooding;
9. Any alteration, repair, reconstruction or improvements to a building that is in compliance with the provisions of this Resolution, shall meet the requirements of "new construction" as contained in this Resolution; and,

10. Any alteration, repair, reconstruction or improvements to a building that is not in compliance with the provision of this Resolution, shall be undertaken only if said non-conformity is not further extended or replaced.

Section B. Specific Standards

These provisions shall apply to ALL Areas of Special Flood Hazard as provided herein:

1. Residential Construction. Where base flood elevation data is available, new construction or substantial improvement of any residential building (or manufactured home) shall have the lowest floor, including basement, elevated no lower than one (1) foot above the base flood elevation. Should solid foundation perimeter walls be used to elevate a structure, openings sufficient to facilitate equalization of flood hydrostatic forces on both sides of exterior walls and to ensure unimpeded movement of floodwater shall be provided in accordance with the standards of Article V. Section B.

Within unnumbered A zones, where base flood elevations have not been established and where alternative data is not available, the Administrator shall require the lowest floor of a building to be elevated or floodproofed to a level of at least three (3) feet above the highest adjacent grade (lowest floor and highest adjacent grade being defined in Article II of this Resolution). All applicable data including elevations or flood proofing certifications shall be recorded as set forth in Article IV. Section B.

2. Non-Residential Construction. New construction or substantial improvement of any commercial, industrial, or non-residential building, when BFE data is available, shall have the lowest floor, including basement, elevated or floodproofed no lower than one (1) foot above the level of the base flood elevation.

Within unnumbered A zones, where base flood elevations have not been established and where alternative data is not available, the Administrator shall require the lowest floor of a building to be elevated or floodproofed to a level of at least three (3) feet above the highest adjacent grade (lowest floor and highest adjacent grade being defined in Article II of this Resolution). All applicable data including elevations or flood-proofing certifications shall be recorded as set forth in Article IV. Section B.

Buildings located in all A-zones may be floodproofed, in lieu of being elevated, provided that all areas of the building below the required elevation are watertight,

with walls substantially impermeable to the passage of water, and are built with structural components having the capability of resisting hydrostatic and hydrodynamic loads and the effects of buoyancy. A registered professional engineer or architect shall certify that the design and methods of construction are in accordance with accepted standards of practice for meeting the provisions above, and shall provide such certification to the Administrator as set forth in Article IV. Section B.

3. Elevated Building. All new construction or substantial improvements to existing buildings that include ANY fully enclosed areas formed by foundation and other exterior walls below the base flood elevation, or required height above the highest adjacent grade, shall be designed to preclude finished living space and designed to allow for the entry and exit of flood waters to automatically equalize hydrostatic flood forces on exterior walls.
 - a. Designs for complying with this requirement must either be certified by a professional engineer or architect or meet the following minimum criteria.
 - 1) Provide a minimum of two openings having a total net area of not less than one square inch for every square foot of enclosed area subject to flooding;
 - 2) The bottom of all openings shall be no higher than one foot above the finish grade; and
 - 3) Openings may be equipped with screens, louvers, valves or other coverings or devices provided they permit the automatic flow of floodwaters in both directions.
 - b. Access to the enclosed area shall be the minimum necessary to allow for parking of vehicles (garage door) or limited storage of maintenance equipment used in connection with the premises (standard exterior door) or entry to the elevated living area (stairway or elevator); and
 - c. The interior portion of such enclosed area shall not be partitioned or finished into separate rooms in such a way as to impede the movement of floodwaters and all such petitions shall comply with the provisions of Article V. Section B. of this Resolution.

4. Standards for Manufactured Homes and Recreational Vehicles

- a. All manufactured homes placed, or substantially improved, on: (1) individual lots or parcels, (2) in expansions to existing manufactured home parks or subdivisions, or (3) in new or substantially improved manufactured home parks or subdivisions, must meet all the requirements of new construction, including elevations and anchoring.
- b. All manufactured homes placed or substantially improved in an existing manufactured home park or subdivision must be elevated so that either:
 - 1) When base flood elevations are available the lowest floor of the manufactured home is elevated on a permanent foundation no lower than one (1) foot above the level of the base flood elevation; or,
 - 2) Absent base flood elevations the manufactured home chassis is elevated and supported by reinforced piers (or other foundation elements) at least three (3) feet in height above the highest adjacent grade.
- c. Any manufactured home which has incurred "substantial damage" as the result of a flood or that has substantially improved must meet the standards of Article V. Section B. 4 of this Resolution.
- d. All manufactured homes must be securely anchored to an adequately anchored foundation system to resist flotation, collapse and lateral movement.
- e. All recreational vehicles placed on identified flood hazard sites must either:
 - 1) Be on the site for fewer than 180 consecutive days;
 - 2) Be fully licensed and ready for highway use. (A recreational vehicle is ready for highway use if it is licensed, on its wheels or jacking system, attached to the site only by quick disconnect type utilities and security devices, and has no permanently attached structures or additions.
 - 3) The recreational vehicle must meet all the requirements for new construction, including the anchoring and elevation requirements of this section above if on the site for longer than 180 consecutive days.

5. Standards for Subdivisions

Subdivisions and other proposed new developments, including manufactured home parks, shall be reviewed to determine whether such proposals will be reasonably safe from flooding. If a subdivision proposal or other proposed new development is in a flood-prone area, any such proposals shall be reviewed to ensure that:

- a. All subdivision proposals shall be consistent with the need to minimize flood damage.
- b. All subdivision proposals shall have public utilities and facilities such as sewer, gas, electrical and water systems located and constructed to minimize or eliminate flood damage.
- c. All subdivision proposals shall have adequate drainage provided to reduce exposure to flood hazards.
- d. Base flood elevation data shall be provided for subdivision proposals and other proposed developments (including manufactured home parks and subdivisions) that are greater than fifty lots and/or five acres in area.

Section C. Standards for Areas of Special Flood Hazard with Established Base Flood Elevations and With Floodways Designated

Located within the Areas of Special Flood Hazard established in Article III. Section B, are areas designated as floodways. A floodway may be an extremely hazardous area due to the velocity of floodwaters, debris or erosion potential. In addition, the area must remain free of encroachment in order to allow for the discharge of the base flood without increased flood heights and velocities. Therefore, the following provisions shall apply:

1. Encroachments are prohibited, including earthen fill material, new construction, substantial improvements or other developments within the regulatory floodway. Development may be permitted however, provided it is demonstrated through hydrologic and hydraulic analyses performed in accordance with standard engineering practices that the cumulative effect of the proposed encroachments or new development, when combined with all other existing and anticipated development, shall not result in ANY increase the water surface elevation of the base flood level, velocities or floodway widths during the occurrence of a base flood discharge at any point within the community. A registered professional engineer

must provide supporting technical data and certification thereof.

2. New construction or substantial improvements of buildings shall comply with all applicable flood hazard reduction provisions of Article V.

Section D. Standards for Areas of Special Flood Hazard Zones AE with Established Base Flood Elevations but without Floodways Designated

Located within the Areas of Special Flood Hazard established in Article III, Section B, where streams exist with base flood data provided but where no floodways have been designated, (Zones AE) the following provisions apply:

1. No encroachments, including fill material, new structures or substantial improvements shall be located within areas of special flood hazard, unless certification by a registered professional engineer is provided demonstrating that the cumulative effect of the proposed development, when combined with all other existing and anticipated development, will not increase the water surface elevation of the base flood more than one (1) foot at any point within the community. The engineering certification should be supported by technical data that conforms to standard hydraulic engineering principles.
2. New construction or substantial improvements of buildings shall be elevated or flood-proofed to elevations established in accordance with Article V, Section B.

Section E. Standards for Streams without Established Base Flood Elevations or Floodways (A Zones)

Located within the Areas of Special Flood Hazard established in Article III, where streams exist, but no base flood data has been provided (A Zones), OR where a Floodway has not been delineated, the following provisions shall apply:

1. When base flood elevation data or floodway data have not been provided in accordance with Article III, then the Administrator shall obtain, review and reasonably utilize any scientific or historic base flood elevation and floodway data available from a Federal, State or other source, in order to administer the provisions of Article V. ONLY if data is not available from these sources, then the following provisions (2 & 3) shall apply:
2. No encroachments, including structures or fill material, shall be located within an area equal to the width of the stream or twenty feet, whichever is greater, measured from the top of the stream bank, unless certification by registered professional engineer is provided

demonstrating that the cumulative effect of the proposed development, when combined with all other existing and anticipated development, will not increase the water surface elevation of the base flood more than one (1) foot at any point within the community. The engineering certification should be supported by technical data that conforms to standard hydraulic engineering principles.

3. In special flood hazard areas without base flood elevation data, new construction or substantial improvements of existing shall have the lowest floor of the lowest enclosed area (including basement) elevated no less than three (3) feet above the highest adjacent grade at the building site. Openings sufficient to facilitate the unimpeded movements of floodwaters shall be provided in accordance with the standards of Article V, Section B, and "Elevated Buildings".

Section F. Standards For Areas of Shallow Flooding (AO and AH Zones)

Located within the Areas of Special Flood Hazard established in Article III, Section B, are areas designated as shallow flooding areas. These areas have special flood hazards associated with base flood depths of one to three feet (1'-3') where a clearly defined channel does not exist and where the path of flooding is unpredictable and indeterminate; therefore, the following provisions apply:

1. All new construction and substantial improvements of residential and non-residential buildings shall have the lowest floor, including basement, elevated to at least one (1') foot above the flood depth number specified on the Flood Insurance Rate Map (FIRM), in feet, above the highest adjacent grade. If no flood depth number is specified, the lowest floor, including basement, shall be elevated, at least three (3) feet above the highest adjacent grade. Openings sufficient to facilitate the unimpeded movements of floodwaters shall be provided in accordance with standards of Article V, Section B, and "Elevated Buildings".
2. All new construction and substantial improvements of nonresidential buildings may be flood-proofed in lieu of elevation. The structure together with attendant utility and sanitary facilities must be flood proofed and designed watertight to be completely flood-proofed to at least one (1') foot above the specified FIRM flood level, with walls substantially impermeable to the passage of water and with structural components having the capability of resisting hydrostatic and hydrodynamic loads and the effects of buoyancy. If no depth number is specified, the lowest floor, including basement, shall be

flood proofed to at least three (3) feet above the highest adjacent grade. A registered professional engineer or architect shall certify that the design and methods of construction are in accordance with accepted standards of practice for meeting the provisions of this Resolution and shall provide such certification to the Administrator as set forth above and as required in Article IV, Section B.

3. Adequate drainage paths shall be provided around slopes to guide floodwaters around and away from proposed structures.
4. The Administrator shall certify the elevation or the highest adjacent grade, where applicable, and the record shall become a permanent part of the permit file.

Section G. Standards For Areas Protected by Flood Protection System (A-99 Zones)

Located within the areas of special flood hazard established in Article III. Are areas of the 100-year floodplain protected by a flood protection system but where base flood elevations and flood hazard factors have not been determined. Within these areas (A-99 Zones) all provisions of Article IV. and Article V. Section A. shall apply.

Section H. Standards for Unmapped Streams

Located within Putnam County, Tennessee are unmapped streams where areas of special flood hazard are neither indicated nor identified. Adjacent to such streams the following provisions shall apply:

1. In areas adjacent to such unmapped streams, no encroachments including fill material or structures shall be located within an area of at least equal to twice the width of the stream, measured from the top of each stream bank, unless certification by a registered professional engineer is provided demonstrating that the cumulative effect of the proposed development, when combined with all other existing and anticipated development, will not increase the water surface elevation of the base flood more than one (1) foot at any point within the locality.
2. When new elevation data is available, new construction or substantial improvements of buildings shall be elevated or flood proofed to elevations established in accordance with Article IV.

ARTICLE VI. VARIANCE PROCEDURES

The provisions of this section shall apply exclusively to Areas of Special Flood Hazard within the unincorporated areas of Putnam County, Tennessee.

Section A. Board of Appeals

1. Creation and Appointment

A Board of Appeals is hereby established which shall consist of three (3)/five (5) members appointed by the Chief Executive Officer. The term of membership shall be four (4) years except that the initial individual appointments to the Board of Appeals shall be terms of one, two, and three years respectively. Vacancies shall be filled for any unexpired term by the Chief Executive Officer.

2. Procedure

Meetings of the Board of Appeals shall be held at such times as the Board shall determine. All meetings of the Board of Appeals shall be open to the public. The Board of Appeals shall adopt rules of procedure and shall keep records of applications and actions thereon, which shall be a public record. Compensation of the members of the Board of Appeals shall be set by the Legislative Body.

3. Appeals: How Taken

An appeal to the Board of Appeals may be taken by any person, firm or corporation aggrieved or by any governmental officer, department, or bureau affected by any decision of the Administrator based in whole or in part upon the provisions of this Resolution. Such appeal shall be taken by filing with the Board of Appeals a notice of appeal, specifying the grounds thereof. In all cases where an appeal is made by a property owner or other interested party, a fee of \$ (amount) dollars for the cost of publishing a notice of such hearings shall be paid by the appellant. The Administrator shall transmit to the Board of Appeals all papers constituting the record upon which the appeal action was taken. The Board of Appeals shall fix a reasonable time for the hearing of the appeal, give public notice thereof, as well as due notice to parties in interest and decide the same within a reasonable time which shall not be more than (number of) days from the date of the hearing. At the hearing, any person or party may appear and be heard in person or by agent or by attorney.

4. Powers

The Board of Appeals shall have the following powers:

a. Administrative Review

To hear and decide appeals where it is alleged by the applicant that there is error in any order, requirement, permit, decision, determination, or refusal made by the Administrator or other administrative official in the carrying out or enforcement of any provisions of this Resolution.

b. Variance Procedures

In the case of a request for a variance the following shall apply:

- 1) The Putnam County Board of Appeals shall hear and decide appeals and requests for variances from the requirements of this Resolution.
- 2) Variances may be issued for the repair or rehabilitation of historic structures (see definition) upon a determination that the proposed repair or rehabilitation will not preclude the structure's continued designation as a historic structure and the variance is the minimum to preserve the historic character and design of the structure.
- 3) In passing upon such applications, the Board of Appeals shall consider all technical evaluations, all relevant factors, all standards specified in other sections of this Resolution, and:
 - a) The danger that materials may be swept onto other property to the injury of others;
 - b) The danger to life and property due to flooding or erosion;
 - c) The susceptibility of the proposed facility and its contents to flood damage;
 - d) The importance of the services provided by the proposed facility to the County;
 - e) The necessity of the facility to a waterfront location, in the case of a functionally dependent facility;
 - f) The availability of alternative locations, not subject to flooding or erosion damage, for the proposed use;

and that such construction below the base flood level increases risks to life and property.

4. The Administrator shall maintain the records of all appeal actions and report any variances to the Federal Emergency Management Agency upon request.

ARTICLE VII. LEGAL STATUS PROVISIONS

Section A. Conflict with Other Resolutions

In case of conflict between this Resolution or any part thereof, and the whole or part of any existing or future Resolution of Putnam County, Tennessee, the most restrictive shall in all cases apply.

Section B. Validity

If any section, clause, provision, or portion of this Resolution shall be held to be invalid or unconstitutional by any court of competent jurisdiction, such holding shall not affect any other section, clause, provision, or portion of this Resolution which is not of itself invalid or unconstitutional.

Section C. Effective Date

This Resolution shall become effective immediately after its passage, by Putnam County, Tennessee, the public welfare demanding it.

Recommended by the Putnam County, Tennessee Regional planning Commission.

Date

Approved and adopted by the Putnam County, Tennessee Board of County Commissioners.

FEB. 20, 2007
Date

K. D. [Signature]
Mayor of Putnam County, Tennessee

Attest: [Signature]
County Clerk

The Chairman asked for questions on the motion. There were none.

The Chairman asked for a voice vote on the motion to approve the Putnam County Flood Damage Prevention Resolution. The motion carried.

MOTION RE: THE PLANNING COMMITTEE RECOMMENDS APPROVAL OF ADOPTING THE CODE OF ETHICS FOR OFFICIALS AND EMPLOYEES OF PUTNAM COUNTY GOVERNMENT

Commissioner Jere Mason moved and Commissioner Gene Mullins seconded to approve adopting the Code of Ethics for Officials and Employees of Putnam County Government

(SEE ATTACHED)

Putnam CODE OF ETHICS
COUNTY, TENNESSEE

Section 1. Definitions.

(1) "County" means Putnam County, which includes all boards, committees, commissions, authorities, corporations or other instrumentalities appointed or created by the county or an official of the county, and specifically including the county school board, the county election commission, the county health department, and utility districts in the county.

(2) "Officials and employees" means and includes any official, whether elected or appointed, officer, employee or servant, or any member of any board, agency, commission, authority or corporation (whether compensated or not), or any officer, employee or servant thereof, of the county.

(3) "Personal interest" means, for the purpose of disclosure of personal interests in accordance with this Code of Ethics, a financial interest of the official or employee, or a financial interest of the official's or employee's spouse or child living in the same household, in the matter to be voted upon, regulated, supervised, or otherwise acted upon in an official capacity.

Section 2. Disclosure of personal interest in voting matters. An official or employee with the responsibility to vote on a measure shall disclose during the meeting at which the vote takes place, before the vote and to be included in the minutes, any personal interest that affects or that would lead a reasonable person to infer that it affects the official's vote on the measure. In addition, the official or employee may, to the extent allowed by law, recuse himself or herself from voting on the measure.

Section 3. Disclosure of personal interest in non-voting matters. An official or employee who must exercise discretion relative to any matter other than casting a vote and who has a personal interest in the matter that affects or that would lead a reasonable person to infer that it affects the exercise of the discretion shall disclose, before the exercise of the discretion when possible, the interest on the attached disclosure form and file the disclosure form with the county clerk. In addition, the official or employee may, to the extent allowed by law, recuse himself or herself from the exercise of discretion in the matter.

Section 4. Acceptance of gifts and other things of value. An official or employee, or an official's or employee's spouse or child living in the same household, may not accept, directly or indirectly, any gift, money, gratuity, or other consideration or favor of any kind from anyone other than the county:

(1) For the performance of an act, or refraining from performance of an act, that he would be expected to perform, or refrain from performing, in the regular course of his duties; or

(2) That a reasonable person would understand was intended to influence the vote, official action, or judgment of the official or employee in executing county business.

It shall not be considered a violation of this policy for an official or employee to receive entertainment, food, refreshments, meals, health screenings, amenities, foodstuffs, or beverages that are provided in connection with a conference sponsored by an established or recognized statewide association of county government officials or by an umbrella or affiliate organization of such statewide association of county government officials.

Section 5. Ethics Complaints. A County Ethics Committee (the "Ethics Committee") consisting of five members shall be appointed to one-year terms by the County Mayor with confirmation by the county legislative body, to be appointed each year at the same time as internal committees of the county legislative body. At least three members of the committee shall be members of the county legislative body; one member shall be a constitutional county officer or, should no constitutional county officer be willing to accept appointment, an additional member of the county legislative body; and the remaining member may be either a member of a board, committee, commission, authority, corporation, or other instrumentality governed by this policy, or an additional member of the county legislative body. The Ethics Committee shall convene as soon as practicable after their appointment and elect a chair and a secretary. The records of the Ethics Committee shall be maintained by the secretary and shall be filed in the office of the county clerk, where they shall be open to public inspection.

Questions and complaints regarding violations of this Code of Ethics or of any violation of state law governing ethical conduct should be directed to the chair of the Ethics Committee. Complaints shall be in writing and signed by the person making the complaint, and shall set forth in reasonable detail the facts upon which the complaint is based.

The County Ethics Committee shall investigate any credible complaint against an official or employee charging any violation of this Code of Ethics, or may undertake an investigation on its own initiative when it acquires information indicating a possible violation, and make recommendations for action to end or seek retribution for any activity that, in the Committee's judgment, constitutes a violation of this Code of Ethics. If a member of the Committee is the subject of a complaint, such member shall recuse himself or herself from all proceedings involving such complaint.

The Committee may:

(1) refer the matter to the County Attorney for a legal opinion and/or recommendations for action;

(2) in the case of an official, refer the matter to the county legislative body for possible public censure if the county legislative body finds such action warranted;

(3) in the case of an employee, refer the matter to the official responsible for supervision of the employee for possible disciplinary action if the official finds discipline warranted;

(4) in a case involving possible violation of state statutes, refer the matter to the district attorney for possible ouster or criminal prosecution;

The interpretation that a reasonable person in the circumstances would apply shall be used in interpreting and enforcing this Code of Ethics. When a violation of this Code of Ethics also constitutes a violation of a personnel policy or a civil service policy, the violation shall be dealt with as a violation of the personnel or civil service provisions rather than as a violation of this Code of Ethics.

Section 6. Applicable State Laws. In addition to the ethical principles set out in this Code of Ethics, state laws also provide a framework for the ethical behavior of county officials and employees in the performance of their duties. Officials and employees should familiarize themselves with the state laws applicable to their office or position and the performance of their duties. To the extent that an issue is addressed by state law (law of general application, public law of local application, local option law, or private act), the provisions of that state law, to the extent they are more restrictive, shall control. Following is a brief summary of selected state laws concerning ethics in county government. For the full text of these statutes, see the Tennessee Code Annotated (T.C.A.) sections indicated.

Campaign finance – T.C.A. Title 2, Chapter 10. Part One (campaign financial disclosure) requires candidates for public office to disclose contributions and contributors to their campaigns. Part Three (campaign contribution limits) limits the total amount of campaign contributions a candidate may receive from an individual and sets limits on the amount a candidate may receive in cash.

Conflict of interest – T.C.A. § 12-4-101 is the general conflict of interest statute that applies in all counties. It prohibits anyone who votes for, lets out, or in any manner supervises any work or contract from having a direct financial interest in that contract, purchase or work, and it requires disclosure of indirect financial interests by public acknowledgment.

Conflict of interest – T.C.A. § 49-6-2003 applies to the department of education in all counties and prohibits direct and indirect conflicts of interest in the sale of supplies for use in public schools.

Conflict of interest – T.C.A. § 5-1-125 applies in all counties and prohibits county officials and employees from purchasing surplus county property except where it is sold by public bid.

Conflict of interest – T.C.A. § 54-7-203 applies in all counties that are governed by the County Uniform Highway Law. It prohibits officials and employees in the highway department and members of the county legislative body from having any personal

interest in purchases of supplies, materials, machinery, and equipment for the highway department.

Conflict of interest – T.C.A. § 5-14-114 applies in counties that have adopted the County Purchasing Law of 1957. It prohibits the purchasing agent, members of the purchasing commission, and all county officials from having any financial or other personal beneficial interest in any contract or purchase of goods or services for any department or agency of the county.

Conflict of interest – T.C.A. § 5-21-121 applies in counties that have adopted the County Financial Management System of 1981. It prohibits all county officials and employees from having any financial or other personal beneficial interest in the purchase of any supplies, materials or equipment for the county.

Conflict of interest – T.C.A. §§ 5-5-102 and 12-4-101 govern disclosures and abstentions from voting due to conflicts of interest of members of county legislative bodies.

Conflict of interest disclosure statements – T.C.A. § 8-50-501 and the following sections require candidates and appointees to local public offices to file a disclosure statement with the state ethics commission listing major sources of income, investments, lobbying activities, professional services provided, bankruptcies, certain loans, and other information, and to keep these statements up to date.

Gifts – T.C.A. § 5-14-114 applies in counties that have adopted the County Purchasing Law of 1957. It prohibits the purchasing agent, members of the purchasing commission, and all county officials from receiving anything of value, directly or indirectly, from anyone who may have or obtain a contract or purchase order with the county.

Gifts – T.C.A. § 5-21-121 applies in counties that have adopted the County Financial Management System of 1981. It prohibits the finance director, purchasing agent, and employees in those departments from accepting anything of value, directly or indirectly, from anyone who furnishes supplies, materials or equipment to the county.

Honoraria – T.C.A. § 2-10-116 prohibits elected officials from accepting an honorarium (including money or anything of value, but not including reimbursement for actual expenses) for an appearance, speech, or article in their official capacity.

Private use of public property – T.C.A. § 54-7-202 applies in counties that are governed by the County Uniform Highway Law. It prohibits the private use of equipment, rock, and other highway materials.

Court sales – T.C.A. § 39-16-405 prohibits judges, clerks of court, court officers, and employees of court, from bidding on or purchasing any property sold through the court for which such person discharges official duties.

RESOLUTION NO. _____

TO ADOPT A CODE OF ETHICS FOR OFFICIALS AND EMPLOYEES
OF PUTNAM COUNTY GOVERNMENT

WHEREAS, Section 49 of the Comprehensive Governmental Ethics Reform Act of 2006, 2006 Public Chapter 1 (1st Ex. Sess.), (the "Ethics Reform Act") requires county legislative bodies to adopt certain ethical standards by resolution on or before June 30, 2007; and

WHEREAS, the County Technical Assistance Service (CTAS) is directed to prepare and disseminate a model of ethical standards which may be adopted by counties in compliance with the Ethics Reform Act; and

WHEREAS, PUTNAM County desires to adopt the CTAS model of ethical standards as the Code of Ethics for PUTNAM County;

NOW THEREFORE, BE IT RESOLVED by the PUTNAM County legislative body meeting in REGULAR session at COOKEVILLE, Tennessee, on this 20TH day of FEBRUARY, 2007, that:

SECTION 1. The model of ethical standards developed by CTAS and attached to this resolution is hereby adopted as the Code of Ethics for PUTNAM County.

SECTION 2. Upon approval of this resolution, the County Clerk is directed to:

(a) Mail a copy of this resolution to the State Ethics Commission; and

(b) Mail a copy of this resolution and the attached Code of Ethics to each county office governed thereby, including all boards, committees, commissions, authorities, corporations or other instrumentalities appointed or created by the county or an official of the county, and specifically including the county school board, the county election commission, the county health department, and utility districts in the county; and

(c) Post a copy of the Code of Ethics on each public bulletin board in the county courthouse.

SECTION 3. This resolution shall take effect upon its passage and approval, the public welfare requiring it.

ADOPTED this 20TH day of FEBRUARY, 2007.

APPROVED:

[Signature]
County Mayor

ATTEST:

[Signature]
County Clerk

The Chairman asked for questions on the motion. There were none.

The Chairman asked for a voice vote on the motion to approve adopting the Code of Ethics for Officials and Employees of Putnam County Government. The motion carried.

**MOTION RE: THE PLANNING COMMITTEE RECOMMENDS APPROVAL OF A
RESOLUTION ADOPTING THE PUTNAM COUNTY MULTI-JURISDICTIONAL HAZARD
MITIGATION PLAN**

Commissioner Jere Mason moved and Commissioner Mike Medley seconded to approve a Resolution Adopting the Putnam County Multi-Jurisdictional Hazard Mitigation Plan.

(SEE ATTACHED)

RESOLUTION

No. _____

TITLE

**A RESOLUTION ADOPTING THE
PUTNAM COUNTY MULTI-JURISDICTIONAL
HAZARD MITIGATION PLAN**

WHEREAS, Putnam County recognizes the threat that natural and technological/man-made hazards pose to people and property; and

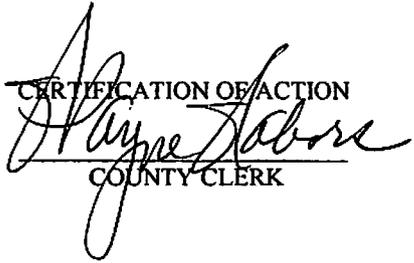
WHEREAS, undertaking hazard mitigation actions before disasters occur will reduced the potential for harm to people and property and save taxpayer dollars; and

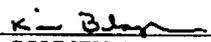
WHEREAS, an adopted hazard mitigation plan is required as a condition of future grant funding for mitigation projects; and

WHEREAS, Putnam County participated jointly in the planning process with the other local units of government within the county to prepare the Multi-Jurisdictional Hazard Mitigation Plan;

NOW, THEREFORE, BE IT RESOLVED that the Putnam County Board of County Commissioners meeting in regular session on this the (day) of (month, ~~2006~~, **2007**) that this body adopts the Putnam County Multi-Jurisdictional Hazard Mitigation Plan as an official plan; and

BE IT FURTHER RESOLVED that the Cookeville-Putnam County Emergency Management Agency will submit on behalf of the participating municipalities the adopted Hazard Mitigation Plan to the Federal Emergency Management Agency officials for final review and approval.

CERTIFICATION OF ACTION

COUNTY CLERK


COUNTY EXECUTIVE
2-20-07
DATE

The Chairman asked for questions on the motion. There were none.

The Chairman asked for a voice vote on the motion to approve a Resolution Adopting the Putnam County Multi-Jurisdictional Hazard Mitigation Plan. The motion carried.

FISCAL REVIEW

MOTION RE: THE FISCAL REVIEW COMMITTEE RECOMMENDS APPROVAL OF A BUDGET AMENDMENT TO THE GENERAL PURPOSE SCHOOL FUND AS PRESENTED

Commissioner Bob Duncan moved and Commissioner Jim Martin seconded to approve a budget amendment to the General Purpose School Fund as presented.

(SEE ATTACHED)

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Department of Education
Putnam County

MIKE GOOLSBY, Interim Director of Schools

Board of Education

Jerry Maynard, Chairman
Daren Shanks, Vice-Chairman

1400 East Spring Street
Cookeville, TN 38506-4313
Phone: (931) 526-9777
Director/Board Fax: (931) 528-6942

Board Members

Dr. Walter Derryberry
David McCormick
Vernon Crabtree
Roger Williams

February 7, 2007

Honorable Commissioners
Putnam County Courthouse
Cookeville, TN 38501

Honorable Commissioners:

Please consider approval of the enclosed budget amendments for the general purpose school fund. These amendments were approved by the Board of Education for at its regular meeting of February 1, 2007.

Sincerely,



Deborah K. Gernt
Assistant Director
Personnel & Business Services

Enclosures: Maintenance – Tile @ Northeast
Maintenance – Tile @ Park View and Sycamore
Special Education / 504 Program
Special Education – Additional Revenue
Special Education – Additional Revenue
Vocational Rehabilitation Grant
Special Education
State Incentive Grant – Drug Free Program