

MINUTES
OF
PUTNAM COUNTY COMMISSION

JULY 16, 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 July 16, 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 called the meeting to order.

The Chairman recognized Commissioner Joel Cowan for the invocation.

The Chairman recognized Commissioner Jere Mason to lead the Pledge to the Flag of the United States of America.

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

PRESENT

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

ABSENT

Jim Martin
Johnnie Wheeler

The Clerk announced that twenty-two (22) were present and two (2) were absent. Therefore, the Chairman declared a quorum.

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MOTION RE: MOVE AWARDS TO B1 AND COOKEVILLE/HOTEL LODGING ASSOCIATION TO B2 AND ITEM F OUT OF PLANNING TO FISCAL REVIEW

Commissioner Jere Mason moved and Commissioner Bob Duncan seconded to move awards to B1 and Cookeville Hotel/Lodging Association to B2 and item F out of Planning to Fiscal Review.

The Chairman asked for a voice vote on the motion to move awards to B1 and Cookeville Hotel/Lodging Association to B2 and item F out of Planning to Fiscal Review. The motion carried.

MOTION RE: APPROVE AGENDA

Commissioner Jere Mason moved and Commissioner Joe Trobaugh seconded to approve the agenda as amended for the July 16, 2007 meeting of the Putnam County Board of Commissioners.

(SEE ATTACHED)

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AGENDA

PUTNAM COUNTY BOARD OF COMMISSIONERS

Regular Monthly Session
Monday, July 16, 2007 6:00 PM

Presiding: Honorable Bill Walker
Commission Chairman

1. Call to Order - Sheriff David Andrews
2. Invocation *District 11*
3. Pledge to the Flag of the United States of America *District 11*
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
8. New Business and Action Thereon by the Board
 - A. Report of Standing Committees
 1. Planning Committee
 - a. Recommends approval of a Resolution to Adopt the Strategic Economic Development Plan for 2007-2012.
 - b. Recommends approval of a lease agreement for Twin Lakes Telephone Cooperative Corporation to lease real property for the purpose of improving communications and to provide new and advanced services to its customers. This lease will be for a period of twenty (20) years.
 - c. Recommends approval of the Cooperation Agreement for lower income housing project by the name of Laurel Creek Inc. located on Cora Road.

- d. Recommends approval of a Resolution to encourage the use of biodeisel in county vehicles.
- e. Recommends approval to add the Personnel Policy for the Highway Department to the minutes of this meeting.
- f. Consider motion to renovate Prescott Middle School and DO NOT TEAR DOWN. ***THIS COMES WITHOUT RECOMMENDATION***

2. Fiscal Review Committee

- a. Recommends approval that \$10,000 be appropriated to a scholarship fund in memory of Commissioner Bill Rodgers.
- b. Recommends approval of the following concerning the Operation of the Soccer Complex:

Control of the Soccer Complex by the Upper Cumberland Soccer Complex Board of Directors is terminated effective immediately.

A seven member Board shall be appointed by the County Commission to oversee the operations of the soccer complex. Such appointments shall come thru the Commission's nominating committee and shall be for four year staggered terms. At the initial appointment, 4 terms shall be for four years and 3 terms shall be for two years. The Director of Parks & Recreation and one member of the County Commission shall be included as Board members. Appointments to the Board shall run through June 30. New members will normally be appointed to the Board at the June meeting of the Commission. The nominating committee is requested to hold a special meeting prior to the July commission meeting to recommend names.

The seven members of the Board shall be the only members entitled to vote on financial matters related to the Soccer Complex. The Board is authorized to appoint additional advisory members made up of representatives of the various organizations regularly using the soccer complex.

The Board is authorized to set usage fees for the use of the complex. All such usage fees will be paid directly to Parks & Recreation by the using organization prior to the commencement of the season or event.

The Board is requested to hold a minimum of two major multi-day tournaments a year in the first year and three multi-day tournaments after the first year of operations.

The Board will be responsible for the concessions operations at the soccer complex and is authorized to maintain a bank account for concessions and tournament operations. The Board is further authorized to hire or contract for operations of either the concessions or tournament promotion and tournament operations.

The Board will submit a financial report to Parks & Recreation at the end of each regular season of operations. The Board is further authorized to require a financial report from all leagues or other regular users of the soccer complex. These reports will be forwarded to Parks & Recreation.

- c. Recommends approval of a Resolution to Establish a Archives and Records Management Fee for documents filed in the Office of the Putnam County Clerk, beginning September 1, 2007.

d. Consider approval that:

THIS COMES WITHOUT RECOMMENDATION

16.4 Million be appropriated for a new elementary school to replace Jere Whitson

16.4 Million be appropriated for a new elementary school in Algood

24.9 Million be appropriated for a middle school to replace Prescott Middle School

This amount is not to exceed 57.7 Million Dollars.

3. Nominating Committee

a. Consider appointments to the new Soccer Complex Board

B. Report of Special Committees

1. Presentations by Awards Committee

2. Report from the Rules Committee

C. Resolutions

D. Election of Notaries

E. Other New Business

9. Announcements and Statements

a. Hear from Cookeville Hotel/Lodging Association

10. Adjourn

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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 the agenda as amended for the July 16, 2007 meeting of the Putnam County Board of Commissioners. The motion carried.

MOTION RE: APPROVE MINUTES

Commissioner Bob Duncan moved and Commissioner Jere Mason seconded to approve the minutes for both the June 18 and June 28, 2007 meetings 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

Steve Flowers from the Putnam County Sheriff's Department was presented with the employee of the month award.

Carla Clark General Manager for Baymont Inn in Cookeville, TN and Eugene Goodman General Manager for the Holiday Inn Express spoke on behalf of Cookeville Hotel/Lodging Association.

(SEE ATTACHED)

Cookeville Hotel/Lodging Association

July 16, 2007

CHLA Position

- The Cookeville Hotel and Lodging Association supports the request for ½% increase of the original 6% to be given to the Chamber to increase the ability of Cookeville to market and generate more room nights to the city.
- In addition to the Chamber's request, CHLA requests an additional ½% increase of the original 6% for a total of 1% allocation.
- The Chamber has retained two national recognized research companies that have provided us with a plan. We should use the hotel tax revenue to fund that plan.
- CHLA supports the Commission for the current actions on the Soccer Complex restructuring. CHLA will be glad to assist any Soccer Executive Board with the tournaments planned for 2008.

Year	Hotel Tax Revenue	Hotel Tax Allocation	Hotel Tax Allocation	Hotel Tax Allocation
03-04	\$748,734.00	\$124,789.00	\$124,789.00	\$499,196.00
04-05	\$815,058.00	\$135,843.00	\$135,843.00	\$543,372.00
05-06	\$780,000.00	\$130,000.00	\$130,000.00	\$520,000.00

Year	Hotel Tax Revenue	Hotel Tax Allocation
2004	\$276,533.67	\$1,025,267.60
2005	\$322,577.18	\$1,137,635.10
2006	\$323,163.08	\$1,103,163.00

- Bottom line: If we use addition hotel tax monies to bring in more people for more events, shopping, eating and spending more money, then we will increase the hotel tax revenues and in turn increase the county budget.

OTHER UNFINISHED BUSINESS

NEW BUSINESS AND ACTION THEREON BY THE BOARD

REPORT OF STANDING COMMITTEES

PLANNING COMMITTEE

**MOTION RE: THE PLANNING COMMITTEE RECOMMENDS APPROVAL OF A
RESOLUTION TO ADOPT THE STRATEGIC ECONOMIC DEVELOPMENT PLAN
FOR 2007-2012**

Commissioner Jere Mason moved and Commissioner Mike Atwood seconded to approve the Resolution to Adopt the Strategic Economic Development Plan for 2007-2012.

(SEE ATTACHED)

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**RESOLUTION TO ADOPT THE STRATEGIC
ECONOMIC DEVELOPMENT PLAN**

WHEREAS, the Three-Star Program was developed to meet the needs and challenges of the evolving economic environment in urban and rural communities and to partner with communities to create opportunities for sustained economic growth; and

WHEREAS, communities seeking certification as a Three-Star community must meet certain criteria, including the adoption of a five-year strategic economic development plan; and

WHEREAS, in achieving the mission of the Three-Star Program, the Department of Economic and Community Development commits to assist communities in developing and implementing a strategic economic plan;

NOW, THEREFORE, BE IT RESOLVED, by the county legislative body of PUTNAM County, Tennessee, meeting in regular session at COOKEVILLE, Tennessee, that:

SECTION 1. The legislative body of PUTNAM County declares that the county has adopted a five-year strategic economic development plan to be updated annually.

SECTION 2. The strategic economic development plan includes the county's economic goals in promoting economic growth, a plan to accomplish those goals and a projected timeline in achieving those goals.

SECTION 3. The strategic economic development plan addresses the county's goals pertaining to existing industry, manufacturing recruitment, workforce development, retail/service, tourism, agriculture, infrastructure assessment and educational assessment.

Adopted this 16TH day of JULY, 2007.

APPROVED:

K. B.
County Mayor

ATTEST:

Rayne Abors
COUNTY CLERK

ATTEST:

**Cookeville-Putnam County
Chamber of Commerce
Strategic Plan
2007 - 2012**

Community Development Division

Bob Luna, Vice Chairman

Objective: Community Improvement - Be the "Community Development Architect" and facilitator in a public/private partnership to enhance the quality of life for the citizens of the region.

Adopt-A-School Program

Sue Neal, Chairman

Objective: To improve the quality of public education through a process that links Putnam County employers with individual schools in the Putnam County school system.

Suggested Tasks/Programs/Projects:

1. Expand the program by adding more "adopters"
2. Provide ongoing assistance to existing "adopters"

Christmas Parade

Doug Gentry, Chairman

Objective: To provide the region with an annual Christmas Parade to "kickoff" the Holiday Season.

Suggested Tasks/Programs/Projects:

1. Plan and implement the 41st annual event.

Community Appearance/Image Committee

Toney Hudson, Chairman

Objective: Facilitate improvement of our community's and region's aesthetic appearance and "first visual impression" by developing and implementing an improvement program with emphasis on major entranceways. (I-40, U.S. Highway 111, and U.S. Highway 56, Regional Airport, etc.)

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Suggested Tasks/Programs/Projects:

1. Develop a "Gateway Welcome Signage" program for visitors entering the Highlands region. (Phase I – U.S. Highway 111 N & S, I-40 E & W)
2. Encourage beautification programs for entranceways in Putnam County and respective communities.
3. Implement the first bi-annual "clean-up" day and other recognition programs designed to promote and create awareness of importance of aesthetics in economic development.
4. Oversee the implementation of a "regional branding program" to create greater awareness and a positive image of the area as a very special and desirable place to live, work, play, and visit. (examples: water tower, public vehicles, public buildings, etc.)
5. Work with the Board of Directors to encourage the planting of Redbud trees and promote a Redbud Festival.

Workforce Development/Education Committee

Nelson Forrester, Chairman

Objective: To be a catalyst and ensure the "muscle building" of an excellent 21st century workforce to meet and exceed the requirements of the community and region's present and future employers.

Suggested Tasks/Programs/Projects:

1. Continue development of an employer needs study.
2. Communicate plan to education partners, and develop a plan to implement the recommendation among the "providers."
3. Focus will be a regional high school drop out study in partnership with Tennessee Department of Labor, Workforce Development, Upper Cumberland Human Resource Agency (U.C.H.R.A.), and Tennessee Tech University (T.T.U.).

Railroad Rendezvous Task Force

Don Sadler, Chairman

Objective: Provide the region with a spring time event/festival as a tourist attraction designed to celebrate our railroad/music heritage.

Suggested Tasks/Programs/Projects:

1. Plan, fund, and implement annual event in May 2007
2. Develop methods to "grow" the festival and attract more attendees.

3. Explore long range plan to expand festival to two days to capture overnight visitors.

Telecommunications Committee

David Williamson, Chairman

Objective: To provide the region with a “state of the art” telecommunications system that will be an asset for quality business recruitment and retention of 21st century jobs.

Suggested Tasks/Programs/Projects:

1. Continue the plan begun in 2006 to work with local/regional providers in attempt to upgrade services to business.
2. Expand program to include Highlands region by inventorying current infrastructure, determining needs and “gaps” in business services. Develop plan to assist in upgrading services by regional providers.

Governor’s Three-Star Committee

Kassandra Newman, Chairman

Objective: Provide appropriate support to local governments in ensuring that Cookeville and Putnam County stay certified as a Tennessee Three Star Community.

Suggested Tasks/Programs/Projects:

1. Support efforts of Putnam County to maintain level 3 status.

Transportation Committee

Parker Bowles, Chairman

Objective: Seek to improve a comprehensive, inter-modal transportation system as an economic development tool and asset for region.

Suggested Tasks/Programs/Projects:

1. Surface (roads) – review and update priority list. Develop regional consensus. Lobby D.O.T. for projects once sanctioned by the Board of Directors.
2. Air – Work with Airport Authority to improve and expand service capabilities as a key economic engine for the region.

3. Water – Review and provide appropriate assistance to Gainesboro/Jackson County in long range river port project.

Arts /Music Incubator

Leo McGee, Co-Chairman (Arts)

John Limbacher, Co-Chairman (Music)

Objective: To develop and implement a regional arts/music incubator as a “quality of life” benefit for local citizens, a work force attraction and retention tool for young knowledgeable workers, and a new tourist attraction for the Highlands region.

Suggested Tasks/Programs/Projects:

1. Review the Wadley-Donovan study
2. Conduct a feasibility study
3. Make recommendations to the Board of Directors
4. Regional implementation once approved

Economic Development Division

Joe Albrecht, Vice Chairman

Objective: To create quality jobs for the citizens of the region through a “targeted” and comprehensive marketing plan and program via a public/private regional partnership.

Convention & Visitors Bureau

Karla Clarke, Chairman

Objective: Increase the number of visitors to the community and region with emphasis on increasing hotel/motel occupancy rate.

Suggested Tasks/Programs/Projects:

1. Finalize and begin implementation of Randall Marketing plan (“tools”, publications, website, trade shows, Leslie Town Centre utilization, etc.)
2. Relationship marketing with key tourism “partners” (example: TN Department of Tourism, Upper Cumberland Tourism Association, and T.V.A.)
3. Highlands Visitor Center – (I-40 and exit 287) complete site identification, acquisition, design, funding, operation plan in 2007.
4. Attraction/Event expansion assistance/development. Increase visitors to region by assisting in this area. (example: Rails with Trails Authority, Redbud Festival)

Existing Industry Committee

Thomas Lynn, Chairman (tentative)

Objective: To create more jobs and payrolls through the establishment of a comprehensive retention and expansion program for existing industries in the county and region.

Suggested Tasks/Programs/Projects:

1. Partner with the Tennessee Department of Economic and Community Development (E.C.D.), T.V.A., local Chambers of Commerce, governments and Tennessee Tech University to expand the "E-synchronist" business retention and expansion program in the Highlands region, complete Putnam County, Overton and White County interviews this year.
2. Assist companies with expansion opportunities. Re-establish the Chambers in region as ombudsmen for problem solving and project expediting with local, state and federal governments.
3. Develop an annual existing industry recognition program (examples: breakfast, luncheon, dinner, golf tournament).
4. Ensure that new local incentive plan includes and meets the needs of existing industry.
5. Utilize the existing companies as a resource to identify and recruit new companies to the region (example: suppliers)
6. Develop existing industry "shepherd" program for Putnam County.

Economic Development Contact Team

Joe Albrecht, Chairman

Objective: To create higher paying jobs and more payrolls through a targeted marketing plan to attract manufacturing, distribution, and office locations to the region; and to oversee the development of a mixed use business park and other industrial sites in the region.

Suggested Tasks/Programs/Projects:

1. Advertising Plan
 - a. Tennessee Economic Development Guide.
 - b. Support E.C.D. sponsored feature sections in targeted/national publications (example: Forbes Magazine).
 - c. Targeted industry trade publications participation.
2. Marketing Plan

- a. Highlands "Orange Carpet" tour for consultants and key Economic Development partners.
- b. Sponsor a "Regional Familiarization" (F.A.M.) tour for selected consultants.
- c. Nashville Development Community – Highlands presentation (lunch, or reception).
- d. Relationship marketing with key State and Regional Partners (T.V.A., E.C.D., M.T.I.D.A., etc.).
- e. Develop a targeted consultant direct marketing plan.
- f. Wadley Donovan study implementation.
- g. Develop, improve, sales "tools," equipment (publications, website, packets, "mementos," etc.).
- h. Participate with State and other partners in recruiting missions, trade shows, and advertising programs in an effort to improve general awareness of region and its economic development assets.
- i. Working with the Industrial Development Board (I.D.B.), City and Putnam County, to complete the pre-approved incentive plan for new and existing companies who expand. Work with Overton and White County "partners" to develop a plan for their respective communities.
- j. Continue development of a "state of the art" economic development informational system and data base for the Highlands region. (examples: T.V.A. sites.com).

Joint Economic and Community Development Board (J.E.C.D.B.)

Kim Blaylock, Chairman

Objective: In accordance with State law, and as a requirement for the annual Governor's 3 Star Award, provide Putnam County's "Economic Development Partners" an opportunity for input and communication in the economic development process.

Suggested Tasks/Programs/Projects:

1. Conduct quarterly meetings.
2. Communicate information to the general public.
3. Revise/amend the strategic plan.

Highlands Manufacturers Association

David Prowse, Chairman

Objective: Provide a forum and vehicle for area manufacturers to share information for the purpose of ensuring the expansion of the manufacturing base in the region.

Suggested Tasks/Programs/Projects:

1. Continue development of "trade association" group.
2. Expand the association to include White and Overton County employers.
3. Provide information and programs of interest to industry.

Medical Development Committee

Kevin Carter, Chairman

Objective: Create higher paying jobs and payrolls by working with community and Highlands region in the growth and expansion of the medical sector of the economy.

Suggested Tasks/Programs/Projects:

1. Inventory the region's delivery system. Identify "gaps" and develop and implement a marketing plan to attract missing specialty areas (examples: Drug and Alcohol Treatment Center, physician recruitment, etc.).
2. Provide appropriate assistance in recruiting desired specialists to the region.
3. Encourage healthcare related education to support Cookeville Regional Medical Center (C.R.M.C.) and other healthcare providers.

Retail Development Committee

Mike McCloud, Chairman

Objective: To be a catalyst in developing a marketing program designed to increase retail sales in Putnam County at a higher rate than the State's average.

Suggested Tasks/Programs/Projects:

1. Develop and implement plan to recruit targeted companies to region.
2. Develop and package retail information for use by prospective retailers and developers.
3. Participate with T.V.A., E.C.D., and other partners in trade shows, etc. to show support and create greater awareness of retail opportunities.
4. Assist retail members in "growing" their respective businesses (Examples: Local visitation examination).

Retirement Development Committee

Roy Byrd, Chairman

Objective: To be a catalyst in attracting more "resourceful" retirees to county and region who will become net economic "assets."

Suggested Tasks/Programs/Projects:

1. Implement the comprehensive target market recruitment program.
2. Inventory existing infrastructure, determine needs, and develop plan to meet needs. Recruit developer for high quality retirement communities.
3. Participate with TN E.C.D. as a "pilot community" in trade shows and recruiting missions to create more awareness of the region and its potential for retirement development.
4. Join/participate in state, regional, and national retirement development associations, including becoming a member of the American Association of Retirement Communities (A.A.R.C.).

Organizational Development Division

Lillian Hartgrove, Vice Chairman

Objective: To continue to strengthen the organizational structure for greater service to the membership with emphasis upon membership recruitment, retention, benefits, and services.

Ambassadors Committee

Donna Harris, Chairman

Objective: To serve as the Chamber's Volunteer Public Relations Team and assist the Chamber in membership recruitment and retention.

Suggested Tasks/Programs/Projects:

1. Represent Chamber at Grand Openings and official city and county events.
2. Serve as hosts for Chamber functions.
3. Provide Chamber with a year round membership recruitment and retention program.
4. Expand the committee.

Annual Meeting Committee

Chairman, TBD

Objective: To provide the Chamber membership with the 2007 Annual Meeting (early 2008) that is recognized as the premier annual business event in the region.

Suggested Tasks/Programs/Projects:

1. Plan and implement the meeting.
2. Secure a well known speaker.
3. Coordinate event pricing, ticket sales, etc.

Board Nominating Committee

Rick Larsen, Chairman

Objective: In accordance with Chamber of Commerce By-Laws, nominate a slate of five candidates to the membership for consideration in October 2007.

Suggested Tasks/Programs/Projects:

1. Nominate candidates to membership.
2. Oversee the election process (if necessary).

Officer Nominating Committee

Rick Larsen, Chairman

Objective: In accordance with Chamber of Commerce By-Laws, nominate a slate of officers to the Chamber Board for election in November 2007.

Suggested Tasks/Programs/Projects:

1. Meet and review potential candidates.
2. Make recommendations to the Board in November 2007.

Membership Committee

Allen Ray, Chairman

Objective: To grow and serve our membership and to expand financial resources through comprehensive membership recruitment, retention, benefits, and services program.

Suggested Tasks/Programs/Projects:

1. Dues structure review/recommendations.
2. Benefits/services review/recommendations.
3. Membership involvement review/recommendations.

Small Business Expo Task Force

Al Profant, Chairman

Objective: To coordinate the fall Small Business Expo.

Suggested Tasks/Programs/Projects:

1. Plan and implement the event.
2. Seek to grow the public component of the event.

Past Presidents/Chairman's Council

Rick Larsen, Chairman

Objective: To retain the knowledge and expertise of the past leaders of the organization for continued service to the Chamber of Commerce.

Suggested Tasks/Programs/Projects:

1. Coordinate the semi-annual meetings of the group in an effort to achieve the objective.
2. Coordinate a Past Presidents/Chairmen of the Chamber portrait gallery for the Board room, a vehicle to formally recognize our leaders.

Public Policy Division

Bob Bell, Vice Chairman

Objective: Business Advocacy – Be the business community's "watchdog/guardian" of the region's "pro business climate" and advocate its positions at all levels of government.

Governmental Affairs Committee

Bob Bell, Chairman

Objective: To represent the interests of the business community at all levels of government.

Suggested Tasks/Programs/Projects:

1. In cooperation with other regional Chambers, develop a 2008 regional Legislative Agenda for review and approval by Chamber of Commerce Board of Directors.
2. Monitor and lobby for approval of the 2007 Legislative Agenda.
3. Plan and sponsor a state legislative function (example: regional legislative "Day on the Hill" luncheon).
4. Develop a regional "Highlands Council of Governments" entity to improve communication and coordination of the public sector in achieving regional economic development goals.

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

The Chairman asked the Commissioners to vote on the motion to approve the Resolution to Adopt the Strategic Economic Development Plan for 2007-2012. The motion carried.

MOTION RE: THE PLANNING COMMITTEE RECOMMENDS APPROVAL OF A LEASE AGREEMENT FOR TWIN LAKES TELEPHONE COOPERATIVE CORPORATION TO LEASE REAL PROPERTY FOR THE PURPOSE OF IMPROVING COMMUNICATIONS AND TO PROVIDE NEW AND ADVANCED SERVICES TO ITS CUSTOMERS: THIS LEASE WILL BE FOR A PERIOD OF TWENTY (20) YEARS

Commissioner Jere Mason moved and Commissioner Mike Medley seconded to approve a lease agreement for Twin Lakes Telephone Cooperative Corporation to lease real property for the purpose of improving communications and to provide new and advanced services to its customers. This lease will be for a period of twenty (20) years.

(SEE ATTACHED)

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This Instrument Prepared By Bruce E. Myers, Attorney at Law
213 North Church Street, Livingston, Tennessee

LEASE AGREEMENT

Lease Agreement made on the ____ day of _____, 2007 by and between, PUTNAM COUNTY, TENNESSEE, one of the ninety-five counties of the State of Tennessee and VOLUNTEER BEHAVIORAL HEALTH CARE SYSTEMS, Successor to Plateau Mental Health Center (see Book 7, Page 95 Register's Office of Putnam County, Tennessee) herein referred to as LESSORS and Twin Lakes Telephone Cooperative Corporation, having a principal place of business at 201 W. Gore Avenue, Gainesboro, Tennessee, herein referred to as LESSEE.

RECITALS

1. The LESSOR, Putnam County, Tennessee, is the fee owner of the subject property and leased the property to Plateau Mental Health Center, said lease dated August 14, 1967 and recorded August 29, 1967 in the Register's Office of Putnam County, Tennessee. That subsequent to this lease, which has a term of fifty (50) years with an option to renew for an additional fifty (50) years, Plateau Mental Health Center merged with or was succeeded by Volunteer Behavioral Health Care Systems of Murfreesboro, Tennessee.
2. The LESSEE desires to lease the real property for the purpose of improving the communications network for both residential and business subscribers throughout the Cookeville South Exchange area. The proposed facilities will provide the environmental protection required for Twin Lakes' new fiber optic electronics and multi-service equipment, as well as the equipment required to provide new and advanced services to its customers.
3. The parties desire to enter a lease agreement defining their rights, duties and liabilities relating to the real property and the improvements to be place on said property by the LESSEE.
4. The Putnam County Commission approved this Lease at its regularly scheduled meeting on 7-16-07, see Minutes of County Court dated 7-16-07.

The Board of Directors of Volunteer Behavioral Health Care Systems approved the Lease by Board Resolution dated _____.

**IN CONSIDERATION OF THE MUTUAL COVENANTS CONTAINED
HEREIN, THE PARTIES AGREE AS FOLLOWS:**

DESCRIPTION OF REAL PROPERTY

LESSORS lease to LESSEE the following real property:

Beginning at a ½" rebar (new), said rebar being S30°28'29"W 743.84' from the intersection of the center line of Highway #135 (South Willow Avenue) and the center line of Gould Drive; thence severing the land of Plateau Mental Health Center (105-585) S47°53'19"E 40.00' to a ½" rebar (new); thence S42°06'41"W 40.00' to a ½" rebar (new); thence N47°53'19"W 40.00' to a ½" rebar (new); thence continuing to sever the land of Plateau Mental Health Center (105-585) with the edge of an access easement N42°06'41"E 40.00' to the point of beginning. Containing 0.04 acres, more or less, as surveyed by Bartlett Surveying, 214 East Stevens Street, Cookeville, Tennessee, 38501, Ronald G. Taylor, and R.L.S. #2123, on May 21, 2007.

There is a 25' access easement from the East margin of Highway #135 (South Willow Avenue) across the remaining land of Plateau Mental Health Center (105-585), with the right to install, maintain, and upgrade said easement, described as follows...

Beginning at a point in the East margin of Highway #135 (South Willow Avenue), said point being S36°22'21"W 539.62' from the intersection of the center line of Highway #135 (South Willow Avenue) and the center line of Gould Drive; thence leaving the East margin of Highway #135 (South Willow Avenue) and across the remaining land of Plateau Mental Health Center (105-585) S42°39'11"E 61.40' to a point; thence S47°38'35" W 186.91' to a point; thence S47°53'19"E 12.95' to a ½" rebar (new), being the Northwest corner of the above-described property; thence with the West line of the above-described property S42°06'41"W 40.00' to a ½" rebar (new); thence continuing across the remaining

land of N47°53'19"W 41.94' to a point; thence N47°38'35"E 204.39' to a point; thence N42°39'11"W 35.36' to a point in the East margin of Highway #135 (South Willow Avenue); thence with the East margin of Highway #135 (South Willow Avenue) N45°15'25"E 25.02' to the point of beginning.

Previous and last conveyance being a portion of the same property recorded in Warranty Deed Book 103, Page 585 in the Register's Office of Putnam County, Tennessee.

SURVEY ATTACHED AS EXHIBIT "A".

LESSEE has the right to inspect, operate and maintain the leased premises.

TERM

The term of this Lease Agreement is for twenty (20) years, beginning on the _____ day of _____, 2007, and terminating on the _____ day of _____, 2027.

RENT

LESSEE shall pay LESSORS in advance, the amount of \$1.00 and other consideration not herein mentioned for the entire initial term of the lease. If the initial term is extended the rent for the entire period of the extension is to be paid in one payment at the beginning of the extended term at an amount negotiated between the parties.

USE OF PREMISES

The leased premises is to be used by the LESSEE for the primary purpose of housing on the concrete slab all of the equipment required for a NETWORK SYSTEM, and for any other purposes reasonably related to the main use.

RESTRICTIONS ON USE

LESSEE shall not use the premises in any manner that will increase risks covered by insurance on the property, if any, and/or result in an increase in the rate of insurance or a cancellation of any insurance policy. LESSEE shall not keep, or use anything

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comply with all requirements of the insurers applicable to the premises necessary to keep in force the fire and liability insurance. The LESSEE shall be solely responsible for obtaining and maintaining all commercial insurance coverage on the improvements placed on said leased property.

WASTE, NUISANCE, OR UNLAWFUL ACTIVITY

LESSEE shall not allow any waste or nuisance on the premises, or use or allow the premises to be used for any unlawful purpose.

UTILITIES

LESSEE will pay for all utilities and/or services required by it for its use of the leased property.

REPAIRS AND MAINTENANCE

LESSEE will maintain and make all necessary repairs to improvement it places on the leased property; further the LESSEE will regularly clean and maintain the leased property including the parking area, and will remove all litter so that the premises will be kept in an attractive condition.

DELIVERY, ACCEPTANCE, AND SURRENDER OF PREMISES

LESSORS represent that the premises are in fit condition for use by LESSEE. Acceptance of the premises by LESSEE shall be construed as recognition that the premises are accepted and suitable to the LESSEE. LESSEE shall surrender the premises at the end of the lease agreement term, or any renewal thereof, in the same condition as when LESSEE took possession.

ENTRY OF PREMISES BY LESSORS

LESSORS reserves the right to enter on the premises at reasonable times to inspect them and LESSEE shall permit LESSORS to do so.

SIGNS INSTALLED BY LESSEE

LESSEE shall not construct or place signs, except as required by law, if any, on the leased property without the written consent of LESSORS.

NON-LIABILITY OF LESSORS FOR DAMAGES

LESSORS shall not be liable for liability or damage claims for injury to persons or property from any cause relating to the occupancy of the leased property by LESSEE. LESSEE shall indemnify LESSORS from all liability, loss, or other damage claims or obligations resulting the use of the property by the LESSEE.

INSURANCE

A. LESSEE will carry fire and extended coverage insurance on the improvement place on the leased property.

B. LESSEE will carry public liability insurance; this insurance will include LESSORS as an additional insured party. The public liability coverage for personal injury will be in at least the following amounts: \$1,000,000.00 per occurrence, and \$1,000,000.00 in any one year.

C. LESSORS and LESSEE release each other from any liability to the other for any property loss, property damage or personal injury to the extent covered by insurance carried by the party suffering the loss, damage or injury.

D. LESSEE will give LESSORS a certificate of insurance for all insurance policies that this lease requires LESSEE to obtain.

ASSIGNMENT, SUBLEASE OR LICENSE

LESSEE will not assign this lease or sublet any part of the premises without the written consent of LESSORS. LESSORS will not unreasonably withhold such consent.

REMEDIES FOR BREACH

In the event LESSEE breaches this lease agreement by failing to pay the rental payment, or the extended period payment, or by violating any covenant contained in this agreement, or by intentionally vacating the premises in midterm, the LESSORS shall be entitled to re-enter and take possession of the leased property. LESSEE shall have ninety (90) days to vacate said premises after repossession and in the event LESSEE fails to vacate, any property left shall be removed and stored at LESSEE'S expense.

OPTION TO RENEW

LESSORS grants to LESSEE an option to extend the lease agreement for an additional twenty (20) years with all terms and conditions of the rental lease agreement to be the same as those herein. To exercise the option provision to extend the lease agreement beyond the initial term. LESSEE must give LESSORS written notice of the intention to renew the term on or before _____, 2027. LESSEE may exercise this option only if LESSEE is in substantial compliance with the terms of this lease. In the event the LESSEE elects not to renew the lease agreement pursuant to the option provision, LESSEE must vacate the premises within ninety (90) days of the expiration of the term and failure to do so will entitle LESSORS to remove and store any property at LESSEE'S expense.

RIGHT TO SELL PROPERTY

LESSORS are granted the right to sell the demised property at any time and to any buyer LESSORS so choose provided the purchaser agrees to comply with all terms of this lease agreement. LESSORS shall provide LESSEE with a written agreement executed by purchaser acknowledging purchaser's knowledge of this lease agreement and evidencing purchaser's acceptance of the terms of this lease agreement.

IN WITNESS WHEREOF, the parties have hereunto set their signatures on the day and date first above written.

LESSORS:

PUTNAM COUNTY, TENNESSEE

BY: _____
KIM BLAYLOCK, PUTNAM COUNTY EXECUTIVE

**_____
ATTESTED TO BY WAYNE NABORS, PUTNAM COUNTY CLERK**

VOLUNTEER BEHAVIORAL HEALTH CARE SYSTEMS

BY: _____
CHRIS WYRE, DIRECTOR

LESSEE:

TWIN LAKES TELEPHONE COOPERATIVE CORPORATION

BY: _____
LARRY STAFFORD, PRESIDENT

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STATE OF TENNESSEE

COUNTY OF _____

Before me, the undersigned, a Notary Public in and for said County and State, personally appeared KIM BLAYLOCK, and WAYNE NABORS with whom I am personally acquainted, and who, upon oath, acknowledged themselves to be the PUTNAM COUNTY EXECUTIVE and PUTNAM COUNTY CLERK of PUTNAM COUNTY TENNESSEE, the within named Landowner, and that they being authorized so to do, executed the foregoing instrument for the purposes therein contained, by signing the names of PUTNAM COUNTY, TENNESSEE by themselves as the PUTNAM COUNTY EXECUTIVE and PUTNAM COUNTY CLERK.

WITNESS my hand and official seal on this the ____ day of _____, 2007.

Notary Public

My Commission expires: _____

STATE OF TENNESSEE

COUNTY OF _____

Before me, the undersigned, a Notary Public in and for said County and State, personally appeared CHRIS WYRE with whom I am personally acquainted, and who, upon oath, acknowledged himself to be the DIRECTOR, the within named Landowner, and that he being authorized so to do, executed the foregoing instrument for the purposes therein contained, by signing the name of VOLUNTEER BEHAVIORAL HEALTH CARE SYSTEMS by himself as the DIRECTOR OF VOLUNTEER BEHAVIORAL HEALTH CARE SYSTEMS.

WITNESS my hand and official seal on this the ____ day of _____, 2007.

Notary Public

My Commission expires: _____

STATE OF TENNESSEE

COUNTY OF _____

Before me, the undersigned, a Notary Public in and for said County and State, personally appeared LARRY STAFFORD, with whom I am personally acquainted, and who, upon oath, acknowledged himself to be the President of TWIN LAKES TELEPHONE COOPERATIVE CORPORATION, the within named Lessee, and that he as such President of said Corporation, being authorized so to do, executed the foregoing instrument for the purposes therein contained, by signing the name of Twin Lakes Telephone Cooperative Corporation, by himself as the President.

WITNESS my hand and official seal on this the _____ day of _____, 2007.

Notary Public

My Commission expires: _____

NOTES:

- 1) THIS SURVEY WAS PREPARED FROM THE CURRENT DEED OF RECORD AND DOES NOT REPRESENT A TITLE SEARCH OR A GUARANTEE OF TITLE AND IS SUBJECT TO ANY STATE OF FACTS A CURRENT TITLE SEARCH WILL REVEAL.
- 2) THIS SURVEY IS SUBJECT TO ANY EASEMENTS, RIGHT-OF-WAYS, RESTRICTIONS AND/OR EXCEPTIONS WHICH MAY AFFECT SAID SURVEY.
- 3) THIS PLAT DOES NOT PURPORT TO ADDRESS THE EXISTENCE, DETECTION OR DELINEATION OF ANY ENVIRONMENTAL PROBLEMS LOCATED WITHIN THE PERIMETER OF THE PROPERTY SHOWN HEREON.



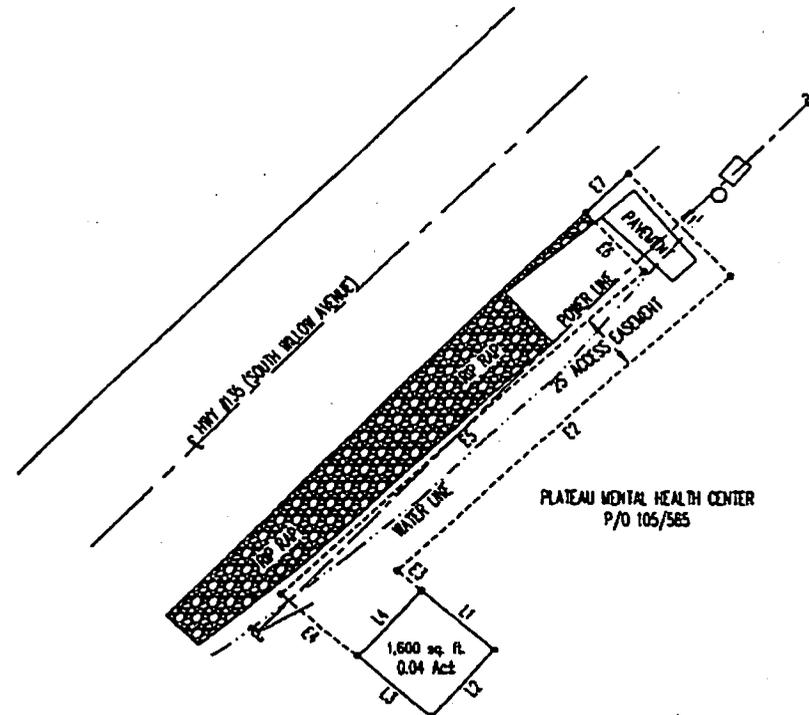
GRAPHIC SCALE



(IN FEET)
1 inch = 50 ft.

I HEREBY CERTIFY THAT THIS IS A CATEGORY I SURVEY AND THE RATIO OF PRECISION OF THE UNADJUSTED SURVEY IS 1:10,000 AS SHOWN HEREON.

Ronald B. Taylor
BARTLETT SURVEYING
 214 EAST STEVENS STREET
 COOKEVILLE, TN 38501 (931-526-9000)



EASEMENT LINE TABLE		
LINE	BEARING	DISTANCE
E1	S42°39'11"E	61.40'
E2	S47°38'35"W	186.91'
E3	S47°53'19"E	12.95'
E4	N47°53'19"W	41.94'
E5	N47°38'35"E	204.39'
E6	N47°39'11"W	35.36'
E7	N45°15'25"E	25.02'

PROPERTY LINE TABLE		
LINE	BEARING	DISTANCE
L1	S47°53'19"E	40.00'
L2	S42°06'41"W	40.00'
L3	N47°53'19"W	40.00'
L4	N42°06'41"E	40.00'

PLATEAU MENTAL HEALTH CENTER
P/O 105/585

1/2" REBAR (R) AT ALL TRACT CORNERS.

EXHIBIT
 "A"

214 East Stevens Street - Cookeville, TN 38501
 Phone (931) 526-9000 Fax (931) 526-7707

Twin Lakes Telephone	
HWY #135 (SOUTH WILLOW AVENUE)	
1st CIVL DISTRICT	TOTAL ACRES: 0.04±
PUTNAM COUNTY, TN	SCALE: 1"=50'
TAX MAP 65 PAR P/O 130	DATE: 5/21/2007
P-L P/O EX:103 PG:565	DRAWING #07-198 AJ

31

The Chairman asked for questions on the motion to approve a lease agreement for Twin Lakes Telephone Cooperative Corporation to lease real property for the purpose of improving communications and to provide new and advanced services to its customers. This lease will be for a period of twenty (20) years. The motion carried.

MOTION RE: THE PLANNING COMMITTEE RECOMMENDS APPROVAL OF THE COOPERATION AGREEMENT FOR LOWER INCOME HOUSING PROJECT BY THE NAME OF LAUREL CREEK INC. LOCATED ON CORA ROAD

Commissioner Jere Mason moved and Commissioner Jerry Ford seconded to approve the Cooperation Agreement for lower income housing project by the name of Laurel Creek Inc. located on Cora Road.

(SEE ATTACHED)

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COOPERATION AGREEMENT
(Private Not-For-Profit Owners)

THIS AGREEMENT entered into this 11th day of June, 2007, by and between LAUREL CREEK, INC. (herein called the "Owner"), and Putnam County (herein called the "Local Governing Entity"):

WITNESSETH:

In consideration of the mutual covenants hereinafter set forth, the parties hereto do agree as follows:

1. Whenever used in this Agreement:

a. The term "Project" shall mean any housing project acquired by the Owner which is financed by a loan made, insured or guaranteed by a branch, department or agency, of the United States Government under S 202 of the Housing Act of 1959 (12 U.S.C. S 1701q), §§ 221, 231 or 236 of the National Housing Act (12 U.S.C. §§ 17151, 1715v, 1715z-1), or § B of the United States Housing Act of 1937, as amended by the Housing and Community Development Act of 1974 (U.S.C., Title 42, § 1437f), as the same shall apply to lower income housing for elderly or handicapped persons as defined by the National Housing act, the Housing Act of 1959, or the said United States Housing Act of 1937, as amended, who have incomes not in excess of those limits established by the Department of Housing and Urban Development.

b. The term "Taxing Body" shall mean the State or any political subdivision or taxing unit thereof in which a Project is situated and which would have authority to assess or levy real or personal property taxes or to certify such taxes to a taxing body or public officer to be levied for its use and benefit with respect to a Project if it were not exempt from taxation.

c. The term "Shelter Rent" shall mean the total of all amounts payable by all tenants of a Project toward the rents charged for dwelling units and non-dwelling units (excluding all other income of such Project), less the cost to the Owner of all dwelling and non-dwelling utilities. In the case of all Laurel Creek assisted units, Shelter Rent is the tenants' share of the Laurel Creek contract rents.

d. The term "Government" shall mean the United States Department of Housing and Urban Development, its successors and assigns.

2. The Owner (a) has obtained or shall endeavor to obtain a loan made or insured by the Government for the financing of the following Project:

LAUREL CREEK
580 Cora Road
Cookeville, Putnam County, Tennessee

comprising 19+1 units of lower income housing: and

(b) agreed to develop, own and administer such Project which shall be located within the jurisdictional limits of the Local Government Entity. The obligations of the parties hereto shall apply to such Project.

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3. a. Under the constitution and statutes of the State of Tennessee, the Project is exempt from all real and personal property taxes and special assessments levied or imposed by any Taxing Body as long as the Owner remains a qualified not-for-profit corporation and so long as there is an unpaid balance outstanding on the aforementioned loan, provided that:

(1) The not-for-profit corporation is first determined to be exempt from Federal income taxation by virtue of qualifying as an exempt charitable organization or as an exempt social welfare organization under the provisions of the United States Internal Revenue Code (U.S.C. Title 26) and any amendments thereto and

(2) The corporation has charter amendments that provide in substance that (a) the directors and officers shall serve without compensation (b) the corporation is irrevocably dedicated to and operated exclusively for not-for-profit purposes: (c) no part of the income or assets of the corporation shall be distributed to nor inure to the benefit of any individual (d) in the event of dissolution of the corporation or other liquidation of its assets, the corporation's property shall not be conveyed to any individual for less than fair-market value of such property and (e) all assets remaining after payment of the corporation's debts shall be conveyed or distributed only to an organization or organizations created and operated for not-for-profit purposes similar to those of the corporation.

During such period that the project is exempt, the Local Governing Entity agrees that it will not impose any real or personal property taxes or special assessments upon such Project or upon the Owner with respect thereto, but the Owner shall make annual payments (herein called "Payments in Lieu of Taxes") in lieu of such taxes and special assessments and in payment for the public

services and facilities furnished from time to time without other cost or charge for or with respect to such Project.

b. Each such annual Payment in Lieu of Taxes shall be made after the end of the fiscal year established for such Project, and shall be in an amount equal to the lower of: (i) 10 percent (10 %) of the Shelter Rent actually collected but no more than charged by the Owner in respect to such Project during such fiscal year or, (ii) the amount permitted to be paid by applicable state law in effect on the date such payment is made, whichever amount is the lower.

c. The Local Governing Entity shall distribute the payments in Lieu of Taxes among the Taxing bodies in the proportion which the real property taxes which would have been paid to each Taxing Body for such year if the Project were not exempt from taxation bears to the total real property taxes which would have been paid to all of the Taxing bodies for such year if the Project were not exempt from taxation provided, however, that no payment for any year shall be made to any Taxing Body in excess of the amount of the real property taxes which would have been paid to such Taxing Body for such year if the Project were not exempt from taxation.

d. Upon failure of the Owner to make any Payment in Lieu of Taxes, no lien against any Project or assets of the Owner shall attach, nor shall any interest or penalties accrue or attach on account thereof.

4. During the period commencing with the date of the acquisition of any part of the site or sites of any Project and continuing so long as the Owner remains a qualified not-for-profit corporation and as long as there is an unpaid balance outstanding on the loan, the Local Governing Entity without cost or

charge to the Owner or the tenants of such Project (other than the Payments in Lieu of Taxes) shall:

a. Furnish or cause to be furnished to the Owner and the tenants of such Project public services and facilities of the same character and to the same extent as are furnished from time to time without cost or charge to other dwellings and inhabitants in the jurisdictional limits of the Local Governing Entity:

b. Accept grants of easements necessary for the development of such Project

c. Cooperate with the Owner by such other lawful action or ways as the Local Governing Entity and the Owner may find necessary in connection with the development and administration of such Project.

5. If by reason of the Local Governing Entity's failure or refusal to furnish or cause to be furnished any public services or facilities which it has agreed hereunder to furnish or to cause to be furnished to the Owner or to the tenants of the Project, the Owner incurs any expense to obtain such services or facilities, then the Owner may deduct the amount of such expense from any Payments in Lieu of Taxes due or to become due to the Local Governing Entity in respect to the Project. This shall be in addition to any other remedies for default which the Owner may have under the laws of the State of Tennessee, including the right to seek specific performance of this Agreement.

6. No Cooperation Agreement heretofore entered into between the Local Governing Entity and the Owner shall be construed to apply to the Project covered by this Agreement.

7. No member of the governing body of the Local Governing Entity or any other public official of the Local Governing Entity who exercises any

responsibilities or functions with respect to the Project during his tenure or for one year thereafter shall have any interest, direct or indirect, in the Project or any property included or planned to be included in the Project, or any contracts in connection with such Project or property. If any such governing body member or such other public official of the Local Governing Entity involuntarily acquires or had acquired prior to the beginning of his tenure any such interest, he shall immediately disclose such interest to the Owner.

8. So long as the loan, in connection with the Project is held or insured by the Government, this Agreement shall not be abrogated, changed, or modified without the consent of the Government. The privilege and obligations of the Local Governing Entity hereunder shall remain in full force and effect with respect to the Project so long as the title to such Project is held by the Owner or other similar qualified not-for-profit corporation, and as long as there is an unpaid balance on said loan. If at any time title to the Project is held by any other qualified not-for-profit corporation which qualifies for an exemption from taxation under the constitution and statutes of the State of Tennessee, the provision hereof shall inure to the benefit of and may be enforced by such other corporation.

9. Notwithstanding anything to the contrary, this Agreement will remain in effect for only as long as the Owner is entitled to an exemption from real and personal property taxation under the laws of the State of Tennessee and is required by said laws to make Payments in Lieu of Taxes to the Local Governing Entity.

IN WITNESS WHEREOF, the Local Governing Entity and the Owner have respectively signed this Agreement and caused their seals to be affixed and attested as of the day and year first above written.

(Seal) _____
(Local Governing Entity)
By: _____

ATTEST:

(Owner)

By: _____

ATTEST:

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CERTIFICATION

The City of Cookeville and Putnam County as identified above, the Local Governing Entity hereby certify that an agreement has been reached between them with respect to the allocation between them of the Payments in Lieu of Taxes on the Project and that each of them is bound by the terms and conditions of this Agreement.

DATED this _____ day of _____

PUTNAM County, The Local Governing Entity

ATTEST:

CITY OF Cookeville

By _____
Its _____

ATTEST:

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

The Chairman asked for a voice vote on the motion to approve the Cooperation Agreement for lower income housing project by the name of Laurel Creek Inc. located on Cora Road. The motion carried.

MOTION RE: THE PLANNING COMMITTEE RECOMMENDS APPROVAL OF A RESOLUTION TO ENCOURAGE THE USE OF BIODEISEL IN COUNTY VEHICLES

Commissioner Jere Mason moved and Commissioner Gene Mullins seconded to approve a Resolution to encourage the use of biodeisel in county vehicles.

(SEE ATTACHED)

**RESOLUTION OF THE GOVERNING BODY OF
PUTNAM COUNTY, TENNESSEE,
ENCOURAGING THE USE OF BIODEISEL IN COUNTY VEHICLES**

WHEREAS, Biodiesel is a clean burning alternative fuel (produced from domestic, renewable resources) that can be blended at any level with petroleum diesel to create a biodiesel blend for use in compression ignition (diesel) engines with no major modifications;

WHEREAS, using biodiesel in a conventional diesel engine results in a substantial reduction of unburned hydrocarbons, carbon monoxide, and particulate matter compared to emissions from diesel fuel and essentially eliminates the exhaust emissions of sulfur oxides and sulfates (major components of acid rain) compared to diesel. Based on engine testing, using the most stringent emissions testing protocols required by EPA for certification of fuels or fuel additives in the U.S., the overall ozone (smog) forming potential of the hydrocarbon exhaust emissions from biodiesel is nearly 50 percent less than that measured for diesel fuel;

WHEREAS, biodiesel, according to a 1998 biodiesel lifecycle study, jointly sponsored by the U.S. Department of Energy and the U.S. Department of Agriculture, reduces net carbon dioxide emissions by 78 percent compared to petroleum diesel due to biodiesel's closed carbon cycle in which CO² released into the atmosphere when biodiesel is burned is recycled by growing plants, which are later processed into fuel;

WHEREAS, utilizing domestic surpluses of vegetable oils enhances our energy security and results in significant microeconomic benefits to both the urban and rural sectors, and the balance of trade.

WHEREAS, biodiesel works in any diesel engine with few or no modifications to the engine or the fuel system (all of the above information provided by the National Biodiesel Board);

NOW, THEREFORE, BE IT RESOLVED, by the Governing Body of Putnam County, Tennessee, as follows:

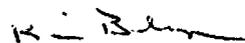
Section 1. That the use of B20 (a blend of 20 percent biodiesel with 80 percent petroleum diesel) in all county vehicles with diesel engines be encouraged in all county vehicles with diesel engines during the months of March to November inclusive.

Section 2. That the use of B5 (a blend of 5 percent biodiesel with 95 percent petroleum diesel) in all county vehicles with diesel engines be encouraged in all county vehicles with diesel engines during the months of December, January, and February.

Section 3. That the use of biodiesel in all county vehicles with diesel engines be encouraged as long as the price per gallon of biodiesel fuel does not exceed the prevailing local price of petroleum diesel fuel by more than 3%.

Section 4. That the use of biodiesel in all county vehicles with diesel engines be encouraged as long as the use of biodiesel is not specifically prohibited by the engine manufacturers' warranty policies or maintenance recommendations.

Duly passed and approved this 16th day of July 2007.


County Executive

ATTESTED: 
County Clerk

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

The Chairman asked the Commissioners to vote on the motion to approve a Resolution to encourage the use of biodeisel in county vehicles. The motion carried.

MOTION RE: THE PLANNING COMMITTEE RECOMMENDS APPROVAL TO ADD THE PERSONAL POLICY FOR THE HIGHWAY DEPARTMENT TO THE MINUTES OF THIS MEETING

Commissioner Jere Mason moved and Commissioner Marson McCormick seconded to add the Personnel Policy for the Highway Department to the minutes of this meeting

(SEE ATTACHED)



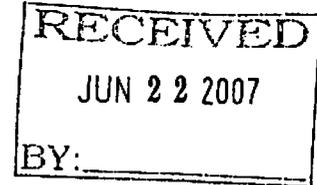
Wimberly Lawson
Seale Wright & Daves, PLLC

Attorneys & Counselors at Law

1420 Neal Street
Suite 201
PO Box 655
Cookeville, TN 38503-0655
931-372-9123 tel
931-372-9181 fax

Jeffrey G. Jones, Member
jjones@wimberlylawson.com

June 20, 2007



Debby Francis
c/o Kim Blaylock
County Executive
Putnam County
300 East Spring St., Room 8
Cookeville, TN 38501

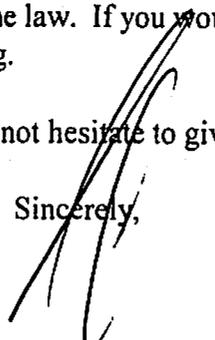
Re: Putnam County Highway Department Personnel Policies

Dear Debby:

Enclosed is a copy of the Putnam County Highway Department Personnel Policy that I have been asked to review and that the Full Commission needs to enter into its minutes. I have reviewed the same. It meets all the requirements of the law. If you would, please put this on the Agenda for the Planning Committee for its July meeting.

If there are any questions, please do not hesitate to give me a call.

Sincerely,


Jeffrey G. Jones
For the Firm

JGJ/jk

Enclosure: As Stated.

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COPY

PUTNAM COUNTY HIGHWAY DEPARTMENT

PERSONNEL POLICIES

APPROVED AND ADOPTED DECEMBER 31, 1997

DRUG POLICY AMENDED MAY 14, 1999

AMENDED JULY 1, 2007

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Employment at Will Policy

No policy, benefit or procedure contained herein creates an employment contract for any period of time. All employees will be considered employees-at-will of the Putnam County Highway Department. Employees may be terminated for failure to satisfactorily perform their duties or simply at the will of the Road Supervisor. An employee will not be terminated for any reason contrary to law.

These personnel policies have been prepared to provide you with general guidelines of the policies, rules and current employee benefits. They are not a contract, promise or guarantee, and the policies, procedures and benefits described herein are subject to change, addition or deletion by the Putnam County Road Supervisor at any time. These policies do not create or confer any contractual rights.

Changes to this policy will be communicated to you, and your continued employment will constitute acceptance of such changes.

Personnel Files

An individual personnel file will be maintained on each employee. It is the responsibility of each employee to provide accurate information to the Department. Employees are also responsible for promptly reporting to the Department any change in information which they have previously provided.

Hiring Practices

The Putnam County Highway Department does not discriminate in hiring practices on the basis of race, color, religion, sex, national origin, age, disability, status as a Vietnam-era veteran or special disabled veteran, or any other legally-protected status. Applications are kept on file by the Highway Department for one year. Positions are filled as deemed necessary for the operations of the Highway Department. Hiring is done by the Road Supervisor.

Anti-Discrimination and Anti-Harassment Policies

Non-Discrimination & Equal Employment Opportunity

It is the policy of the Putnam County Highway Department to provide equal employment opportunities to all individuals regardless of race, color, religion, sex, national origin, age, disability, status as a Vietnam-era veteran or special disabled veteran, or any other legally-protected status. This policy extends to all terms and conditions of employment, including but not limited to hiring, placement, promotion, termination, layoff, recall, transfer, leaves of

absence, compensation and training. It is the policy of the Putnam County Highway Department to make reasonable accommodations for qualified individuals with known disabilities unless doing so would result in undue hardship. Employees or applicants with questions or concerns about any type of discrimination in the workplace are encouraged to bring these issues to the attention of the immediate supervisor or department head. Employees can raise concerns and make complaints without fear or reprisal or retaliation.

Anyone found to be engaging in any type of unlawful discrimination will be subject to disciplinary action, up to and including termination of employment.

No Harassment in the Workplace

It is the policy of the Putnam County Highway Department to maintain a respectful work and public service environment. The Putnam County Highway Department prohibits and will not tolerate any form of unlawful harassment by or towards any employee or official on the basis of race, color, religion, sex, national origin, age, disability, status as a Vietnam-era veteran or special disabled veteran, or any other legally protected status. Any employee or official who engages in such behavior is subject to disciplinary action, up to and including termination of employment. Employees are encouraged to report alleged incidents of unlawful harassment.

Discrimination/Harassment Reporting Procedure

Discrimination, including harassment in the workplace, on the basis of race, color, religion, sex, national origin, age, disability, status as a Vietnam-era veteran or special disabled veteran, or any other legally-protected status is strictly prohibited. If an employee believes that he or she has been subjected to discrimination or harassment related to employment with the Putnam County Highway Department, the employee should report the incident promptly to the Road Supervisor or department head under whose direction the employee works. If the problem is not resolved within a reasonable time, or if for any reason the employee feels uncomfortable reporting the problem in this fashion, the problem should be reported to the County Executive.

No adverse personnel action will be taken against an employee for reporting an incident of discrimination or harassment in good faith, or for assisting in the investigation of a complaint. However, disciplinary action may be taken against any individual providing knowingly false information in connection with a complaint.

Employee Classifications

The Putnam County Highway Department employs three types of workers. They are as follows:

1. Full-time regular employees are those who are hired to regularly work a 40 hour workweek. These employees receive all benefits offered by the Department.
2. Part-time regular employees are those who are hired to regularly work less than a 40 hour workweek. These employees receive all benefits offered by the Department on a prorated schedule.
3. Temporary employees are those who are engaged to work either full-time or part-time with the understanding that their employment will be terminated upon completion of the specific assignment. These employees receive no vacation leave, but do receive holiday leave, when the holiday falls into the time period worked. They also receive one sick leave day per month. These employees do not receive any other benefits.

Wage & Hour Policy

Workweek:

The workweek for employees of the Putnam County Highway Department begins at 12:01 a.m. on Saturday and ends at 12:00 p.m. on Friday of each week.

The actual work schedule for each employee will be arranged by the Road Supervisor, the Assistant Supervisor, or the Foreman.

All employees will be paid wages consistent with the Putnam County-wide salary program.

Overtime:

Overtime is defined as time worked in excess of 40 hours in a workweek. All non-exempt employees who work over the 40 hours in a workweek, are entitled to compensation for such hours, at the rate of one and one half times their regular rate of pay, or (with prior understanding between the employer and employee) compensatory time off at a rate of one and one half hour for each hour of overtime worked. Employees shall not work overtime without obtaining advance approval of their department head.

Compensatory Time:

Compensatory time may be given to non-exempt employees who work overtime as provided in the section on overtime. Compensatory is given in lieu of cash payment for overtime.

Compensatory time is given at a rate of one and one half hour for each hour worked over the regular 40 hour workweek. Employees are encouraged to use their accrued compensatory time. The Highway Department will make every effort to grant reasonable request for the use of compensatory time when sufficient advance notice is given and the workplace is not unduly disrupted.

The maximum number of compensatory time hours that may be accrued is 240 hours. Any employee who has reached the maximum shall not work any additional overtime until the employee's accrued compensatory time has fallen below the maximum of 240 hours, unless the employee receives advance written authorization and receives payment in cash for any such additional overtime. The Putnam County Highway Department reserves the right to pay an employee in cash for any or all accrued compensatory time.

A copy of a signed compensatory time agreement between the employee and the department head will be placed in the employee file and a copy given to the employee.

Time Records:

A time clock is used to record the hourly employee's starting and ending time for each day. Time is recorded on a bi-weekly basis. Each employee must sign their time card each pay period. A supervisor or department head must sign each employee's time card. Signing of the time card by the employee signifies that the time card is a correct record of time worked. Compensatory time will be recorded in a time book by the Assistant Supervisor or the Foreman. Compensatory time taken by the employee will be recorded on the time book, and on a daily attendance card. Overtime not clocked on the time clock will be written in on the time card by a supervisor or Foreman. Salaried employees' time worked will be kept on a daily attendance record sheet and be signed by the employee and the Road Supervisor or the Assistant Supervisor.

Leave Policies

There are several types of leave that are available to Putnam County Highway Department employees. They are as follows:

Personal Leave:

An employee may ask for and receive an unpaid personal leave. The time of the leave should be agreed upon at the time of request by the employee and the Road Supervisor.

Sick Leave:

Employees who work one hour more than half of the scheduled work month will receive one day (8 hours) sick leave per month. The employee may use this sick leave at their discretion and approval of their immediate supervisor. There is no maximum of sick leave credits.

Accumulated sick may be used for the following:

Personal illness, disability due to an accident, medical and dental appointments, and medical care of one of the following family members: spouse, children, parents, and others, who at the discretion of the supervisor, have a relationship which merits similar consideration.

In the event of separation for any reason other than retirement or death, accumulated sick leave will be retained as a permanent record in the employee's personnel file. Should the employee be rehired with the County, the sick leave balance will be reinstated. In the event of retirement, the employee shall be compensated for unused sick leave.

Employees are required to notify the Department as early as possible on the first day of their sick leave absence. At the discretion of the supervisor, an employee may be required to furnish a certificate from a physician stating that the employee has been incapacitated from work for the periods of absence, and the employee is again physically able to perform his or her duties.

Employees who have used all of accumulated sick leave will not receive financial compensation. For any additional time needed, the employee will be considered on a leave, without pay status, unless the employee has accumulated vacation time or compensatory time. The employee may request that additional sick leave be credited against their remaining vacation or compensatory time.

An employee who has unused accumulated sick leave at the date of retirement may receive one month of retirement credit for each twenty days of leave time, in accordance with the policy established by the Tennessee Consolidated Retirement System.

Sick leave for all employees will be tracked and recorded on daily attendance record sheets and time records.

Vacation Leave:

Full-time employees (those who work 30 hours or more per week) shall earn up to twelve (12) days of paid vacation per year accruing at the rate of one day per every month of service. Full-time employees who have fifteen or more years of service shall earn up to eighteen (18) days vacation leave per year, accruing at one and one-half days per month up to eighteen days for the physical year. Employees shall begin accruing vacation time at the date of employment.

Part-time regular employees will receive vacation time at a prorated rate.

Part-time employees do not qualify for vacation leave.

The Highway Department closes for five days in July and five days in December. Ten vacation days will be used for those two weeks. All other earned vacation time may be used at the discretion of the employee, with the approval of the employee's immediate supervisor.

Vacation time earned must be taken in the calendar year that it is earned.

Upon the termination of employment, the employee shall be entitled to payment of any unused vacation time. Payment shall be made based upon the daily rate of compensation the employee receives at the time of termination.

Bereavement Leave:

When there is a death in the employee's immediate family, the employee will be given up to three (3) days paid leave in the sole discretion of the employee's supervisor. Any other leave regarding bereavement shall be left to the sole discretion of the employee's supervisor. Immediate family shall be defined as spouse, parent, children, brothers or sisters, mother-in-law, father-in-law, sisters-in-law, grandparents, grandchildren, stepchildren of the employee and legal guardians or dependents.

Holiday Leave:

Holiday leave is given with pay for the holidays designated by the Road Supervisor. The holidays designated at this time are as follows: New Year's Day, Martin Luther King, Jr. Day, Presidents Day, Good Friday, Memorial Day, Independence Day, Labor Day, Veteran's Day, Thanksgiving day, the day after Thanksgiving, Christmas Eve, Christmas Day and election day. Election days encompass the following: county primary, county general, national/state election.

Jury Duty Leave:

The Highway Department encourages its employees to fulfill their civic responsibilities by serving jury duty when required. The Department will comply with Tennessee law regarding paid jury duty.

Upon receiving a summons to report for jury duty, an employee should, on the next day of work, provide a copy of the summons to the Road Supervisor. The employee will be excused from work for the day or days required while serving as a juror on days where the employee's responsibility for jury duty exceeds three (3) hours during the day for which excuse is sought. If the employee's jury service does not exceed three (3) hours on a workday, the employee is expected to return to work for the rest of the day.

While on jury duty, the employee will be paid his/her usual compensation, however, an employee's pay may be offset with the amounts received for jury service from the court.

This policy does not apply to any employee who has been employed by the Highway Department on a temporary basis for less than six (6) months. Employees may contact the Road Supervisor for further details.

Worker's Compensation Leave:

In addition to its efforts in providing a safe workplace, the Highway Department abides by the Tennessee Workers' Compensation Act and the following requirements are designed to insure compliance with the law.

Reporting Injuries Communication about work-related injuries is crucial. **Employees must report all injuries that are sustained on the job to supervisors immediately, whether or not they appear serious or medical care seems to be required.**

Incident Report All employees who report a work-related injury must complete an incident report, describing how, when and where the injury occurred, who witnessed the injury and describing how the injury could have been avoided. These reports will be reviewed with the reporting employee by a supervisor.

Supervisor Report Immediately after an employee has reported a work-related injury, the supervisor to whom the report was made must complete a report that summarizes the employee's description of events, list any witnesses, include the witnesses' description of events and supervisor's impressions of how the injury occurred.

Medical Treatment The Highway Department will provide the injured employee with a panel of physicians from which the employee must choose a treating doctor. If a medical specialist is required, the Department will provide a second panel of physicians from which the employee may choose. Employees must sign any and all medical panel forms. **Employees should not pursue medical care through their personal physicians for any work-related injuries.** If the

work injury requires emergency care, the employee will be transported to the nearest emergency facility and a medical panel will thereafter be provided to the employee.

The Department has the right to review all medical reports and keep advised of the progress of medical treatment related to a work injury. Employees should keep in touch with their supervisors to report their progress if they are required to miss work due to a work-related injury.

Time Missed for Work-related Injury If an employee is required to miss work due to a work-related injury, the employee's paid leave time, including vacation time and sick leave, will be used for the first seven (7) days missed. Thereafter temporary total disability benefits will be paid to the employee.

Temporary Disability Benefits If an employee is required to miss work due to a work-related injury, temporary total disability benefits will begin to be paid after the employee has been out of work for seven (7) days.

Restrictions and Modified Duty If the treating physician requires restrictions on the injured employee's activities, the Department will make every reasonable effort to provide modified duty consistent with the physician's restrictions, however, no guarantee is made that such duty will be available.

Employees are advised that following their doctor's restrictions is imperative and failure to work within the restrictions imposed by a physician will result in immediate disciplinary action, up to and including termination.

Return to Work After an employee has been placed at maximum medical improvement following treatment for a work-related injury, the employee must immediately contact the Department arrange for his or her return to duty.

Parental Leave:

A. General

Employees who have been employed by the Highway Department for at least twelve (12) consecutive months as full-time employees may be absent for a period not to exceed four (4) months for adoption, pregnancy, childbirth and nursing an infant. With regard to adoption, the four (4) month period shall begin at the time an employee receives custody of the child. Any time off under this policy will also count toward an employee's use of FMLA leave (if the employee qualifies for FMLA leave), and such leaves shall run concurrently to the extent possible.

B. Notice to Highway Department

Employees who give at least three (3) months' advance notice to the Highway Department of their anticipated date of departure for such leave, their length of leave, and their intention to return to full-time employment after leave, shall be restored to their previous or similar positions with the same status, pay, length of service credit and seniority, wherever applicable, as of the date of their leave.

Employees who are prevented from giving three (3) months' advance notice because of a medical emergency which necessitates that leave begin earlier than originally anticipated shall not forfeit their rights and benefits under this section solely because of their failure to give three (3) months' advance notice.

Employees who are prevented from giving three (3) months' advance notice because the notice of adoption was received less than three (3) months in advance shall not forfeit their rights and benefits under this section solely because of their failure to give three (3) month's advance notice.

C. Other Provisions

1. Leave will be without pay, except that employees will be required to use accrued vacation time, sick leave and other forms of leave as under the Highway Department's FMLA policy. Such leave shall not affect the employee's right to receive vacation time, advancement, seniority, length of service credit, benefits, plans or programs for which the employees were eligible at the date of their leave, and any other benefits or rights of their employment incident to the employees' employment position; provided, that the Highway Department need not provide for the cost of any benefits, plans or programs during the period of such leave, unless the Highway Department so provides for all employees on leaves of absence.
2. If an employee's job position is so unique that the Highway Department cannot, after reasonable efforts, fill that position temporarily, then the Highway Department need not reinstate the employee at the end of such leave period.
3. The purpose of this section is to provide leave time to employees for adoption, pregnancy, childbirth and nursing the infant, where applicable; therefore, if the Highway Department learns that the employee has utilized the period of leave to actively pursue other employment opportunities, or if the Highway Department learns that the employee has worked for another employer during the period of leave, then the Highway Department will not reinstate the employee at the end of such leave.
4. Whenever the Highway Department determined that the employee will not be reinstated at the end of such leave because the employee's position cannot be filled temporarily, or because the employee has used such leave to pursue employment opportunities or to work for another employer, the Highway Department will notify the employee.

Family and Medical Leave:

A. Eligibility and Leave Entitlement

Eligible employees who have worked for the Highway Department for at least twelve months and at least 1,250 hours during the twelve-month period immediately preceding the commencement of leave may take up to 12 weeks of leave under the Family & Medical Leave Act ("FMLA") per 12 month period (1) because of a serious health condition that makes the employee unable to perform the functions of the employee's job; (2) to care for the employee's spouse, son, daughter, or parent with a serious health condition; or (3) for the birth of a son or daughter, and to care for the newborn child, or for placement with the employee of a son or daughter for adoption or foster care. The amount of FMLA leave available to the employee is determined by examining the amount of FMLA leave taken in the preceding twelve (12) month period, measured backward from the date an employee uses any FMLA leave. This is referred to as the "rolling period" method of calculation.

B. Family Leave for Birth or Placement of Child

An employee's entitlement to FMLA leave for a birth or placement for adoption or foster care expires at the end of the 12-month period beginning on the date of the birth or placement of the child. In the case of unpaid leave for the birth, care or placement of a child, intermittent leave or working a reduced number of hours is not permitted, unless both the employee and the Highway Department agree. If both spouses are employed by the Highway Department, their combined FMLA leave for either the birth, care or placement of a child with the employee for adoption or foster care shall not exceed twelve (12) weeks during any 12-month period.

C. Serious Health Condition

Under the FMLA, a "serious health condition" means an illness, injury, impairment, or physical or mental condition that involves:

Inpatient care (*i.e.*, an overnight stay) in a hospital, hospice, or residential medical care facility, including any period of incapacity (meaning inability to work, attend school or perform other regular daily activities), or any subsequent treatment in connection with such inpatient care; or continuing treatment by a health care provider. A serious health condition involving continuing treatment by a health care provider includes:

- (1) A period of incapacity of more than three consecutive calendar days, and any subsequent treatment or period of incapacity relating to the same condition, that also involves:
 - (a) Treatment two or more times by a health care provider, by a nurse or physician's assistant under direct supervision of a health care provider, or

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by a provider of health care services (e.g., physical therapist) under orders of, or on referral by, a health care provider; or

- (b) Treatment by a health care provider on at least one occasion which results in a regimen of continuing treatment.
- (2) A period of incapacity due to pregnancy, or for prenatal care.
- (3) A period of incapacity or treatment for such incapacity due to a chronic serious health condition, which requires periodic visits for treatment by a health care provider, continues over an extended period of time (including recurring episodes of a single underlying condition), and may cause episodic rather than a continuing period of incapacity (e.g., asthma, diabetes, epilepsy, etc.).
- (4) A period of incapacity which is permanent or long-term due to a condition for which treatment may not be effective. The employee or family member must be under the continuing supervision of, but need not be receiving active treatment from, a health care provider (e.g., Alzheimer's, severe stroke, or terminal disease).
- (5) A period of absence to receive multiple treatments for an injury or condition that would likely result in a period of incapacity of more than three consecutive calendar days if not treated (e.g. chemotherapy or radiation for cancer, physical therapy for severe arthritis, or dialysis for kidney disease).

D. Intermittent or Reduced Schedule Leave

In case of unpaid leave for serious health conditions, FMLA leave may be taken intermittently or on a reduced leave schedule when medically necessary for planned and/or unanticipated medical treatment by or under the supervision of a health care provider, for recovery from treatment, or for recovery from a serious health condition. Such leave may also be taken to provide care or psychological comfort to an immediate family member with a serious health condition. Where an employee requests intermittent leave or leave on a reduced hours basis due to a family member's or the employee's own serious health condition, the Highway Department has the option, in its sole discretion, to require the employee to transfer to a temporary alternative job for which the employee is qualified and which better accommodates the intermittent leave or reduced hours leave than the employee's regular job. The temporary position will have equivalent pay and benefits as the employee's regular job.

E. Request for Leave

An employee requesting FMLA leave must request leave in writing with the Personnel Department. The written request should state the reason for the leave, and the anticipated starting and ending dates of the leave. In those circumstances when the approximate timing of the need for leave is not foreseeable, the employee should provide the Highway Department

notice of the need for FMLA leave as soon as practicable under the facts and circumstances of the situation. This ordinarily means that the employee must at least provide verbal notice to the Highway Department within one or two business days of when the need for leave becomes known to the employee.

F. Notice of Need for Leave

When the need for Family or Medical Leave is foreseeable based upon an expected birth, placement for adoption or foster care, or planned medical treatment for a serious health condition of the employee or a family member, an employee intending to take Family or Medical Leave must submit an application for leave at least thirty (30) days before the leave is to begin. In the event 30 days notice is not practicable due to a lack of knowledge of approximately when the leave will be required to begin or due to a change in circumstances or medical emergency, an employee should provide notice of the need for leave to his or her immediate supervisor and to the Personnel Department, as soon as it is practicable to do so.

If an employee fails to provide the Highway Department 30 days notice for foreseeable leave with no reasonable excuse for the delay, the Highway Department may delay the taking of FMLA leave until at least 30 days after the date the employee provides notice of the need for FMLA leave. Absences before FMLA begins will not constitute FMLA leave and will be treated as such under the attendance policy.

G. Medical Certification of Leave

An employee seeking to take FMLA leave based on the serious health condition of the employee or the employee's spouse, child or parent must provide a medical certification statement completed by a health care provider. Such certification should be provided as soon as possible and not later than 15 days after request, absent extenuating circumstances. The certification must state the date on which the health condition commenced, the probable duration of the condition, and the appropriate medical facts regarding the condition.

If the employee is needed to care for a spouse, child or parent, the certification must so state along with an estimate of the amount of time the employee will be needed. If the employee has a serious health condition, the certification must state that the employee cannot perform one or more of the essential functions of his or her job.

If the employee does not produce the certification on a timely basis, the employee's absence shall not qualify as FMLA leave, and the absence will be treated in accordance with the Highway Department's attendance policy. This could result in adverse employment consequences.

If the employee furnishes a certification that the Highway Department believes may be invalid, the Highway Department may require the employee to obtain a second opinion, at the Highway Department's expense. If the second opinion differs from the first, the Highway Department may then require the employee to obtain a third opinion, also at the Highway Department's expense,

the results of which will be final and binding. The third health care provider would be designated or approved jointly by the Highway Department and the employee.

H. Scheduling FMLA Leave

Whenever possible, and subject to a health care provider's approval and certification, when planning medical treatment for themselves or their family member, employees taking FMLA leave must consult with the Highway Department and make a reasonable effort to schedule the leave so as not to unduly disrupt the Highway Department's operations. Employees are expected to consult with the Highway Department prior to scheduling treatment in order to work out a treatment schedule which best suits the needs of both the employee and the Highway Department. If an employee who provides notice of the need to take FMLA leave on an intermittent leave basis for planned medical treatment fails to consult with the Highway Department to make a reasonable attempt to arrange the schedule of treatment so as not to unduly disrupt the Highway Department's operations, the Highway Department will initiate discussions with the employee and require the employee to attempt to make such arrangements, subject to the approval of the employee's health care provider.

I. Substitution of Paid Time Off

FMLA leave is unpaid; however, you must use any paid vacation time, sick leave and other forms of leave for which you are eligible in place of the FMLA leave until the paid time has been fully used. The paid leave and FMLA leave would run at the same time, counting toward your 12 week maximum. Any remaining FMLA leave would be unpaid.

J. Health Insurance

Employees taking FMLA leave are entitled to maintain health benefits while on leave under the same terms and conditions as when they were on the job. This means that the employee is required to make arrangements to continue making payments on his/her portion of the health insurance premiums on a monthly basis. Failure to pay the employee's share of health insurance premiums may result in a loss of insurance coverage. Employees remain responsible for any insurance coverages and premiums not paid by the Highway Department.

K. Restoration of Employment

Employees taking FMLA leave are guaranteed the right to return from FMLA leave to their previous position or an equivalent position with equivalent benefits, pay and other terms and conditions of employment. However, if, upon the expiration of an employee's 12-week entitlement to FMLA leave, the employee is unable to perform an essential function of his/her position because of a physical or mental condition, including the continuation of a serious health condition, the employee will have no right to restoration under the Family and Medical Leave Act. This does not necessarily mean that the employee will not be returned to work. If, due to an employee's own medical circumstances, he/she is no longer able to perform his/her original

job, the Highway Department may attempt to transfer the employee to alternative work for which he/she is qualified, if such work is available. However, if an employee would otherwise have ceased to be employed at the time that the employee seeks reinstatement, the employee will not be entitled to restoration.

L. Repayment of Health Insurance Premiums

If an employee fails to return from leave, he or she will be required to pay the Highway Department the full cost of all health premiums paid on the employee's behalf, unless the employee does not return because of the presence of a serious health condition which prevents the employee from performing his or her job due to circumstances beyond the control of the employee.

M. Fitness-for-Duty Certificate

Prior to being restored to employment from FMLA leave for the employee's own serious health condition, employees will be required to present a fitness-for-duty certificate from the employee's health care provider that the employee is medically able to return to work.

N. Updates of Status and Intent to Return to Work

The Highway Department will require an employee on FMLA leave to report every two (2) weeks on his/her status and his/her intention to return to work, and also provide periodic recertification of the medical condition. Failure to do so may result in adverse employment consequences. If an employee fails to return to work upon a scheduled return date, the Highway Department will assume that the employee has resigned their employment.

Employees taking non-intermittent FMLA leave are required to provide the Highway Department at least two (2) business days' prior notice of their intent to return to work.

O. No Other Employment

Employees taking FMLA leave or other forms of leave may not work for, or provide their services to, another employer or business, whether as an employee, independent contractor, or otherwise, while on leave. Violation of this policy may result in termination of employment with the Highway Department.

Military Leave:

A. In General

A military leave of absence will be granted to employees who are absent from work because of service in the U.S. uniformed services in accordance with the Uniformed Services Employment

and Reemployment Rights Act (USERRA). Advance notice of military service is required, unless military necessity prevents such notice or it is otherwise impossible or unreasonable.

Full-time employees who are members of any military component will be granted paid military training leave for such time as they are in military service on field training or active duty for periods not to exceed fifteen (15) working days per calendar year. This time may not be used for weekend drills. Such requested leave shall be supported with copies of the armed forces orders.

Full-time employees who are members of a military reserve unit who have completed their military training duty for the calendar year, and are reactivated for additional training, will be allowed an additional fifteen (15) days of paid military leave if the additional military training occurs during the same calendar year and fulfills the employee's obligation for the next calendar year. During such time that the employee is on military training leave, the employee will receive the benefits to which he or she would otherwise be entitled.

B. Continuation of Health Coverage

If your period of active duty or full-time military duty is 30 days or less, your employer-sponsored health insurance plan will continue to cover you. If your active duty or full-time military duty is longer than 30 days, USERRA allows you to continue your employer-sponsored health insurance coverage while on active duty. The maximum period of continuation coverage is the lesser of (1) the 18-month period beginning on the date on which your military leave begins, or (2) the day after the date on which you fail to apply for reinstatement or return to work, as provided in Section C below.

Under USERRA, you and your family are able to reenter the Highway Department's health plan provided that you meet the following conditions: (1) you are released from active duty under honorable conditions, and (2) you report back to work as provided in Section 3 below.

C. Reinstatement

To be entitled to reinstatement under the USERRA after finishing your military service, you must:

1. Have provided notice to the Highway Department that you were leaving the job to serve in the uniformed services,
2. Perform military service for less than five years (with certain exceptions),
3. Be honorably discharged from military service, and
4. Report back to your job or submit an application for reemployment within the following time periods:

- a. If your military service was for less than 31 days, not later than the beginning of the first full regularly scheduled work period on the first full calendar day following your completion of such service, and the expiration of eight (8) hours after a period allowing for your safe transportation from the place of service to your residence;
- b. If your military service was between 31 and 180 days, within 14 days following your completion of such service; and
- c. If your military service was for 181 days or more, within 90 days following your completion of such service.
- d. If you are hospitalized or recuperating from service-related illness or injury, the application deadlines are extended for up to two years.

Limitations on Leave:

During any leave of absence, no vacation, sick leave or other benefits will be accrued. No leave of absence shall exceed one year (except military duty).

Termination Pay

An employee whose employment is being terminated, either voluntarily or involuntarily, shall be paid for all regular earnings and overtime which are due and accrued, plus any unused vacation time and compensatory time. The rate of pay for such compensatory time shall be the employee's current rate of pay or the average regular rate received by the employee during the last three years of employment, whichever is greater. The employee will not be compensated for any unused sick leave days. In the event of death of an employee, the amount owing hereunder to the employee shall be paid to the employee's estate or to the surviving spouse as may be required by law.

Employee Acknowledgment Form

By signing this form, I acknowledge that I have received a copy of the personnel policies currently in effect for the Putnam County Highway Department and I understand that it is my responsibility to read and comply with the policies. These policies cannot and are not intended to answer every question about my employment with the Highway Department. I understand that I should consult with the Road Supervisor regarding any part of the policies that I do not understand or any questions I may have about my employment with the Putnam County Highway Department which is not answered in the policies. The current policies will always be on file in the office of the Road Supervisor. I may examine them there at any time during normal business hours.

The policies are necessarily subject to change, and I acknowledge that revisions may occur from time to time. I understand that all changes to the policies will be filed in the office of the Road Supervisor. Although my employer will usually provide me with notice of changes, I understand that changes will apply to me regardless of whether I receive actual notice. I understand that revised information may supersede, modify or eliminate any or all of the policies at any time. All information contained in the policies is subject to applicable state and federal laws, rules and regulations. I understand that to the extent that any such laws may conflict with any provision of the policies, such laws, rules and regulations will control.

I have entered into my employment relationship with Putnam County Highway Department voluntarily, and I acknowledge that there is no specific length of employment and that my employment may be terminated by me or my employer at will, without cause or prior notice, at any time.

I acknowledge that none of the Highway Department's policies may be constructed to create a contract of employment or any other legal obligation, express or implied, and that any policy may be amended, revised, supplemented, rescinded or otherwise altered, in whole or in part, at any time, in the sole and absolute discretion of the Putnam County Road Supervisor.

Employee Name Printed: _____

Employee Signature: _____

Date: _____

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Compensatory Time Agreement

In accordance with the Fair Labor Standards Act, the Putnam County Highway Department has a policy of granting employees compensatory time off in lieu of compensation for time worked in excess of 40 hours in a workweek. A copy of this policy is on file in the office of the County Clerk. I understand that compensatory time will be granted at time and one half for all time worked in excess of 40 hours. I further understand that accrued compensatory time may be used in accordance with County policy and the applicable laws, rules and regulation of the U.S. Department of Labor. I voluntarily and knowingly agree to accept compensatory time off in lieu of cash compensatory time off in accordance with the County's policy and the laws, rules and regulations of the U.S. Department of Labor.

Employee Signature

Date

Tennessee Code Annotated § 39-16-504

§ 39-16-504. Government record; destruction, tampering or fabrication.

A. It is unlawful for any person to:

1. Knowingly make a false entry in, or false alteration of a governmental record.
2. Make, present, or use any record, document or thing with knowledge of its falsity and with intent that it will be taken as a genuine governmental record: or
3. Intentionally and unlawfully destroy, conceal, remove or otherwise impair the verity, legibility or availability of a governmental record.
4. A violation of this section is a class a misdemeanor.

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Drug and Alcohol Policy

Official notification to employees of the Putnam County Highway Department

This statement is intended to notify you that your employer, as a federal grant recipient must comply with the **Drug-Free Workplace Act of 1988**. The Act requires your employer to notify you of certain provisions contained in the act. In addition to any existing policies of your employer regarding the use of drugs and alcohol on the job, you, as an employee in the workplace associated with a federal grant, are specifically prohibited from using illegal drugs or controlled substances in the workplace.

1. The site where you perform work for your employer in connection with a federal grant is declared to be a drug-free workplace.
2. The unlawful manufacture, distribution, dispensing, possession or use of a controlled substance (illegal drug) at the workplace is prohibited.
3. Any criminal drug statute conviction for a violation of this prohibition will result in a personnel action against a convicted employee.
4. Personnel actions include:
 - a. Termination of employment
5. As a condition of employment under the grant and in the workplace, you must:
 - a. Notify your employer through your immediate supervisor of any criminal drug statute conviction for a violation occurring in the workplace no later than five (5) days after such conviction, and
 - b. Abide by the terms of this statement.

Drug and Alcohol Testing Policy

The Putnam County Highway Department is dedicated to providing safe and efficient service to the public. Its employees are its most valuable resource in ensuring the quality of this service. The goal of the Putnam County Highway Department is therefore to provide its employees with a workplace environment which promotes health and safety.

In order to meet this goal, the Putnam County Highway Department hereby endorses the Federal Highway Administration's anti-drug and alcohol policy and regulations. This Department will not tolerate the unauthorized use, abuse, possession, sale or distribution of controlled substances by its employees. Drug and alcohol testing will be an integral part of the program. This Department will provide training, education and other assistance to its employees to help them understand their responsibilities.

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Non-compliance with this policy or violation of these regulations may result in severe disciplinary action including suspension or dismissal.

Policy objectives:

1. To create and maintain a safe drug-free work environment for all employees.
2. To encourage any employee with a dependence on, or addiction to alcohol or other drugs to seek help in overcoming the problem.
3. To reduce problems of absenteeism, tardiness, carelessness, and other unsatisfactory matters related to job performance.
4. To reduce the likelihood of incidents of accidental personal injury or damage to property.
5. To comply with federal laws, specifically the requirements of the Omnibus Transportation Employee Testing Act of 1991.

Drug use/distribution/impairment/possession

All safety sensitive employees are prohibited from possessing, distributing, manufacturing, or having controlled substances, abusing prescription drugs, or having any other mind altering or intoxicating substance present in their systems while at work or on duty.

All employees must inform their supervisor when they are legitimately taking medication which may affect their ability to work, in order to avoid creating safety problems and violating the drug and alcohol policy.

Alcohol use/possession/impairment

All safety sensitive employees are prohibited from being impaired or intoxicated by alcohol while at work or on duty. A breath alcohol concentration (BRAC) of .04 will be accepted as presumptive evidence of impairment.

Off-duty screening

An employee's personal habits are his/her own affair. However, the Putnam County Highway Department must become involved when the use and or abuse of controlled substances affects an employee's job performance. When job performance is poor, sound business practice dictates immediate corrective action or termination.

Substance screening

Substance screening is required for all final applicants applying for a position for which drug or alcohol testing is required by the provisions of the Omnibus Transportation Employee Testing Act of 1991. An applicant will be disqualified for hire if the individual test positive, refuses to submit to a test, or refuses to execute the required consent/release form.

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All current employees are subject to the Omnibus Transportation Employee Testing Act of 1991:

Reasonable cause:

Any employee will be required to submit to screening whenever a supervisor observes circumstances which provide reasonable cause to believe the employee has used a controlled substance or has otherwise violated the substance abuse rule. Examples of circumstances that may establish reasonable cause to warrant testing include: supervisor observation, co-worker complaints, performance decline, attendance or behavior changes, involvement in a workplace or vehicular accident, or any other actions which indicate a possible error in judgment of negligence, other violations of the drug and alcohol policy or violation of other Putnam County Highway Department policies.

Random testing

The Putnam County Highway Department will conduct random unannounced screening of employees. Tests of all employees for illicit drugs will be conducted in a number equal to or greater than fifty (50%) percent of the effected workforce without advance notice in any given twelve (12) month period. Tests of all employees for alcohol will be conducted in a number equal to or greater than ten (10%) percent of the effected workforce without any advance notice in any given twelve (12) months period. There will be no maximum number of samples that any individual will be required to provide during the testing schedule. All employees will be required to report to the Highway Department designated collection site for testing as soon as possible but in no case later than four (4) hours following notification. Annually, the tests will be spread reasonable over twelve (12) months.

Post accident testing

Employees are required to notify their supervisor immediately of any accident involving Putnam County Highway Department property.

An employee involved in a reportable accident, defined as an accident resulting in injuries, or a fatality, and or related accidents involving Department property, or an accident in which the driver has been cited for a moving violation, or where the vehicle must be towed, is required to undergo drug screening within thirty-two (32) hours of the occurrence and an alcohol screening within two (2) hours of the occurrence. Any employee who fails to report an accident or submit to substance screening where required by law will be immediately terminated.

Testing procedures:

General guidelines:

The Putnam County Highway Department shall rely on the federal Department of Transportation, procedures for transportation workplace drug testing programs, 49 CFR Parts 30.1 through 30.39 and on the future guidance of the Omnibus Transportation Employee Testing Act provided in 49 CFR 382, 391, 392, and 395.

Substances tested for:

Employees will be regularly tested for amphetamines, cocaine, marijuana, opiates, and phencyclidine. Testing for alcohol will also be conducted subject to the Omnibus Transportation Employee Testing Act of 1991. Employees will be tested for other substances without notice as part of a separate test.

Testing procedures:

The Putnam County Highway Department will utilize urinalysis in completing all drug testing, and evidential breath testing (EBT) will be used for alcohol testing.

Collection site:

The Putnam County Highway Department will designate collection sites where individuals may provide specimens.

Collection procedures for drug testing:

The Putnam County Highway Department and the company with which it contracts to conduct testing will maintain a documented procedure for collection, shipping, and accessing urine specimens. A tamper-proof sealing system, identifying numbers, labels, and sealed shipping containers will be used to safeguard the specimen in transit status. Collection sites will maintain instructions and provide training for collection site personnel as needed to protect the integrity of the specimen.

Evaluation and return of results:

The contracted laboratory will transmit (by fax, mail, or computer, but not orally over the telephone) the results of all tests to the Medical Review Officer (MRO) for the Putnam County Highway Department. The MRO will be responsible for reviewing the quantified test results of employees and confirming that the individuals testing positive have used drugs in violation of the Putnam County Highway Department policy. Prior to making a final decision, the MRO shall give the individuals an opportunity to discuss the result either face to face or over the telephone. The MRO shall then notify the designated contact person which employees or applicants have tested positive.

Release of test results:

Test results shall not be released by the Putnam County Highway Department or the MRO without the individual's written authorization. However, all employees will be required to execute a consent/release form permitting the Putnam County Highway Department to release test results and related information to the unemployment compensation commission or the relevant government agency.

The MRO shall retain an individual's test results for positive specimens for five (5) years and for negative specimens for twelve (12) months.

Enforcement:

In order to enforce this policy the Putnam County Highway Department reserves the right to require employees (defined as all employees subject to the Omnibus Transportation Employee Testing Act of 1991) to submit at any time any employee is on duty, to drug and alcohol test to determine the presence of a prohibited substance. The Putnam County Highway Department is required to develop, implement, and enforce a drug and alcohol policy for its employees. This is a condition of compliance with the Omnibus Transportation Employee Testing Act of 1991. Pursuant to the Putnam County Highway Department's policy and regulations, testing will be done prior to employment, when a supervisor has reasonable cause to believe an employee has violated the Department's alcohol and drug policy, and on a random basis without prior notice. Employees are also required to report injuries or damage-related accidents involving Department property on personal or during Department related activities, and to submit to screening within thirty-two (32) hours of a reportable accident.

Violation of these rules, including testing positive, will subject the employee to the following:

1. **Testing positive for illegal drugs shall be cause for immediate termination.**
2. **Testing positive for alcohol shall be cause for immediate termination.**

Refusal to cooperate with the Putnam County Highway Department in any test, refusing to be tested, and tampering with the testing process will result in disciplinary action, including discharge under the applicable federal and state laws.

Disciplinary action:

The Putnam County Highway Department will discipline, including discharging employees, for any violation of this policy.

The first offense for testing positive for alcohol shall be immediate termination.

The first offense for testing positive fro drugs shall be immediate termination.

Employee Assistance Program (EAP)

The Putnam County Highway Department EAP shall include:

- A. Education and training for the employees regarding drugs and alcohol.
- B. Education and training for supervisors regarding drugs and alcohol, including:
 - 1. Effects and consequences of substance use and abuse on personal health, safety, and work.
 - 2. Manifestations and behavior causes that may indicate substance abuse.
 - 3. Documents of training provided.
- C. A written statement on file and available at the Putnam County Highway Department outlining the EAP.

Definitions:

Words used in this policy shall be defined as set out in the Omnibus Transportation Employee Testing Act of 1991 and regulations promulgated pursuant to such act and implementing act.

This _____ day of _____

Putnam County Road Supervisor

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Employee Acknowledgment of Drug and Alcohol Policy

By my signature below, I hereby acknowledge that I have read and understand the drug and alcohol policy and the drug and alcohol testing policy for the Putnam County Highway Department. I understand that an offer for employment and or continuing employment is contingent upon successfully passing a drug/alcohol test.

I understand that as an employee I may be randomly tested for controlled substances. I understand that I will be tested for drugs/alcohol after an accident, if I am suspected of being under the influence of drugs/alcohol on Department time, or upon my return from a leave of absence.

I understand that a refusal to take a drug/alcohol test is cause for denial or termination of employment. I agree to notify the Department if I am convicted of any drug-related offense with five (5) days of such conviction.

I agree to co-operate and abide by the Putnam County Highway Department's drug and alcohol policy and drug and alcohol testing policy and understand that any failure to do so by me is cause for termination.

Employee Signature

Date

Employee Printed Name

Supervisor/Witness

Date

One signed copy to Department file, one copy to employee

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

The Chairman asked for a voice vote on the motion to add the Personnel Policy for the Highway Department to the minutes of this meeting. The motion carried.

FISCAL REVIEW COMMITTEE

MOTION RE: THE FISCAL REVIEW COMMITTEE RECOMMENDS APPROVAL THAT \$10,000 BE APPROPRIATED TO A SCHOLARSHIP FUND IN MEMORY OF COMMISSIONER BILL RODGERS

Commissioner Bob Duncan moved and Commissioner Sue Neal seconded to approve \$10,000 be appropriated to a scholarship fund in memory of Commissioner Bill Rodgers.

Ben Rodgers, Tom Looney, and Joe Muscatello spoke regarding the Scholarship.

The Chairman asked for questions on the motion.

The Chairman asked the Commissioners to vote on the motion to approve that \$10,000 be appropriated to a scholarship fund in memory of Commissioner Bill Rodgers and the Commissioners voted as follows:

FOR

David Randolph
Larry Epps
Bob Duncan
Jerry Ford
Scott McCanless
Andy Honeycutt
Marson McCormick
Anna Ruth Burroughs
Reggie Shanks
Joel Cowan

Joe Trobaugh
Eris Bryant
Sue Neal
Dale Moss
Greg Rector
Gene Mullins
Jere Mason
Bill Walker
Mike Atwood
Ron Chaffin

AGAINST

Mike Medley
Kevin Maynard

ABSENT

Jim Martin
Johnnie Wheeler

The Clerk announced that twenty (20) voted for, two (2) against, and two (2) were absent.

The Chairman announced that the motion carried.

MOTION RE: THE FISCAL REVIEW COMMITTEE RECOMMENDS APPROVAL OF THE FOLLOWING CONCERNING THE OPERATION OF THE SOCCER COMPLEX:

CONTROL OF THE SOCCER COMPLEX BY THE UPPER CUMBERLAND SOCCER COMPLEX BOARD OF DIRECTORS IS TERMINATED EFFECTIVE IMMEDIATELY.

A SEVEN MEMBER BOARD SHALL BE APPOINTED BY THE COUNTY COMMISSION TO OVERSEE THE OPERATIONS OF THE SOCCER COMPLEX. SUCH APPOINTMENTS SHALL COME THRU THE COMMISSION'S NOMINATING COMMITTEE AND SHALL BE FOR FOUR YEAR STAGGERED TERMS. AT THE INITIAL APPOINTMENT, 4 TERMS SHALL BE FOR FOUR YEARS AND 3 TERMS SHALL BE FOR TWO YEARS. THE DIRECTOR OF PARKS & RECREATION AND ONE MEMBER OF THE COUNTY COMMISSION SHALL BE INCLUDED AS BOARD MEMBERS. APPOINTMENTS TO THE BOARD SHALL RUN THROUGH JUNE 30. NEW MEMBERS WILL NORMALLY BE APPOINTED TO THE BOARD AT THE JUNE MEETING OF THE COMMISSION. THE NOMINATING COMMITTEE IS REQUESTED TO HOLD A SPECIAL MEETING PRIOR TO THE JULY COMMISSION MEETING TO RECOMMEND NAMES.

THE SEVEN MEMBERS OF THE BOARD SHALL BE THE ONLY MEMBERS ENTITLED TO VOTE ON FINANCIAL MATTERS RELATED TO THE SOCCER COMPLEX. THE BOARD IS AUTHORIZED TO APPOINT ADDITIONAL ADVISORY MEMBERS MADE UP OF REPRESENTATIVES OF THE VARIOUS ORGANIZATIONS REGULARLY USING THE SOCCER COMPLEX.

THE BOARD IS AUTHORIZED TO SET UP USAGE FEES FOR THE USE OF THE COMPLEX. ALL SUCH USAGE FEES WILL BE PAID DIRECTLY TO PARKS & RECREATION BY THE USING ORGANIZATION PRIOR TO THE COMMENCEMENT OF THE SEASON OR EVENT.

THE BOARD IS REQUESTED TO HOLD A MINIMUM OF TWO MAJOR MULTI-DAY TOURNAMENTS A YEAR IN THE FIRST YEAR AND THREE MULTI-DAY TOURNAMENTS AFTER THE FIRST YEAR OF OPERATIONS.

THE BOARD WILL BE RESPONSIBLE FOR THE CONCESSIONS OPERATIONS AT THE SOCCER COMPLEX AND IS AUTHORIZED TO MAINTAIN A BANK ACCOUNT FOR CONCESSIONS AND TOURNAMENT OPERATIONS. THE BOARD IS FURTHER AUTHORIZED TO HIRE OR CONTRACT FOR OPERATIONS OF EITHER THE CONCESSIONS OR TOURNAMENT PROMOTION AND TOURNAMENT OPERATIONS.

THE BOARD WILL SUBMIT A FINANCIAL REPORT TO PARKS & RECREATION AT THE END OF EACH REGULAR SEASON OF OPERATIONS. THE BOARD IS FURTHER AUTHORIZED TO REQUIRE A FINANCIAL REPORT FROM ALL LEAGUES OR OTHER REGULAR USERS OF THE SOCCER COMPLEX. THESE REPORTS WILL BE FORWARDED TO PARKS & RECREATION.

Commissioner Bob Duncan moved and Commissioner Jerry Ford seconded to approve the regulations concerning the operation of the Soccer Complex.

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

The Chairman asked the Commissioners to vote on the motion to approve the regulations concerning the operation of the soccer complex and the Commissioners voted as follows:

FOR

David Randolph
Larry Epps
Bob Duncan
Jerry Ford
Scott McCanless
Andy Honeycutt
Marson McCormick
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

ABSENT

Jim Martin
Johnnie Wheeler

The Clerk announced that twenty-two (22) voted for and two (2) were absent.

The Chairman announced that the motion carried.

MOTION RE: THE FISCAL REVIEW COMMITTEE RECOMMENDS APPROVAL OF A RESOLUTION TO ESTABLISH A ARCHIVES AND RECORDS MANAGEMENT FEE FOR DOCUMENTS FILED IN THE OFFICE OF THE PUTNAM COUNTY CLERK, BEGINNING SEPTEMBER 1, 2007

Commissioner Bob Duncan moved and Commissioner Joe Trobaugh seconded to approve a Resolution to Establish a Archives and Records Management Fee for documents filed in the office of the Putnam County Clerk, beginning September 1, 2007

(SEE ATTACHED)

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**RESOLUTION TO ESTABLISH ARCHIVES AND RECORDS
MANAGEMENT FEE FOR
DOCUMENTS FILED IN THE OFFICE OF THE
PUTNAM COUNTY CLERK**

WHEREAS, Tennessee Code Annotated, Section 10-7-408, authorizes county legislative bodies to establish and collect an archives and records management fee not to exceed two dollars (\$2.00) per document filed in the office of the County Clerk, with the funds collected through this fee to be designated exclusively for duplicating, storing and maintaining any records required by law to be permanently kept: and

WHEREAS, the County Legislative body has determined that it is in the best interests of the county that such a records management fee be established and collected in the County Clerk's office in Putnam County;

NOW, THEREFORE, BE IT RESOLVED by the County Legislative body of Putnam County, Tennessee that:

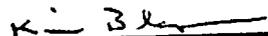
Section 1. An archives and records management fee is hereby established in the amount of two dollars (\$2.00) on each document filed in the office of the Putnam County Clerk. A list of documents filed in the County Clerk's office, to which this fee will apply, is attached to this resolution and made a part hereof.

Section 2. The archives and records management fee shall be collected by the County Clerk on each document filed in the County Clerk's Office on or after September 1, 2007.

Section 3. The funds collected through this fee shall be designated and used by the County Clerk for duplicating, storing, and maintaining records required by law to be permanently kept.

Section 4. This resolution shall be effective upon its passage and approval, the public welfare requiring it.

Adopted this 16th day of July, 2007



Kim Blaylock, County Executive

Attest:



Wayne Nabors, County Clerk

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DOCUMENTS FILED IN COUNTY CLERK'S OFFICE:

These "documents filed" include all forms that are completed by members of the public and filed as records in the office of the county clerk.

Marriage License documents:

Application for marriage license
AOC premarital counseling certificate
Any affidavit(s) filed with marriage license application
Vital Records form - Marriage Certificate
Marriage license returned by officiant after ceremony

Business Licenses:

Application for business license
Business tax returns

Beer Permits:

Application for beer permit

Notary Public:

Application for commission as notary public
Notary public bond
Change of address form
Change of name form

Pawnbroker Licenses:

Application for pawnbroker license
Law enforcement certificate of good moral character

Motor Vehicle Title & Registration:

Application for vehicle title (or lost title)
Application for vehicle registration
Application for disabled placard
Application for temporary tag
Lien documentation filed

Miscellaneous:

Application for driver's license
Application for hunting/fishing license
Other tax returns (hotel-motel tax, etc.)
Isolated sales and use tax form for boats

The term "documents filed" does not include documentation generated wholly within the office of the county clerk for internal use. Also, where the public is making a payment of money without filing any related document, the fee does not apply.

The Chairman asked for questions on the motion.

The Commission discussed the motion.

The Chairman asked the Commissioners to vote on the motion to approve the Resolution to Establish a Archives and Records Management Fee for documents filed in the office of the Putnam County Clerk, beginning September 1, 2007 and the Commissioners voted as follows:

FOR

David Randolph
Larry Epps
Bob Duncan
Jerry Ford
Scott McCanless
Andy Honeycutt
Marson McCormick
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

ABSENT

Jim Martin
Johnnie Wheeler

The Clerk announced that twenty-two (22) voted for and two (2) were absent.

The Chairman announced that the motion carried.

MOTION RE: CONSIDER APPROVAL THAT:

THIS COMES WITHOUT RECOMMENDATION

16.4 MILLION BE APPROPRIATED FOR A NEW ELEMENTARY SCHOOL TO REPLACE JERE WHITSON

16.4 MILLION BE APPROPRIATED FOR A NEW ELEMENTARY SCHOOL IN ALGOOD

24.9 MILLION BE APPROPRIATED FOR A MIDDLE SCHOOL TO REPLACE PRESCOTT MIDDLE SCHOOL

THIS AMOUNT IS NOT TO EXCEED 57.7 MILLION DOLLARS

Commissioner Bob Duncan moved and Commissioner Kevin Maynard seconded to consider approval that:

16.4 Million be appropriated for a new elementary school to replace Jere Whitson

16.4 Million be appropriated for a new elementary school in Algood

24.9 Million be appropriated for a middle school to replace Prescott Middle School

This amount is not to exceed 57.7 Million Dollars

(SEE ATTACHED)

Long Range Plan Building Project Proposal

Putnam County Board of Education

July 16, 2007

Proposed Building Request 2 Elementary/1MS

- Replacement Jere Whitson PK-4
- Replacement PCMS 5-8
 - Built as PK-8 Campus
- New elementary Algood PK-4
- Reconfigure Algood K-8 to 5-8
 - Built as PK-8 Campus

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The Chairman asked for questions on the motion.

The Commission discussed the motion.

**MOTION RE: AMEND MOTION TO ASK SCHOOL BOARD TO RENOVATE
PRESCOTT AND NOT REBUILD**

Commissioner Reggie Shanks moved and Commissioner Joel Cowan seconded to amend the motion and ask the School Board to renovate Prescott and not rebuild.

The Commissioners discussed the motion.

The Chairman asked the Commissioners to vote on the amendment to renovate Prescott School and not rebuild and the Commissioners voted as follows:

FOR

David Randolph
Jerry Ford
Andy Honeycutt
Anna Ruth Burroughs
Reggie Shanks
Joel Cowan
Mike Medley
Joe Trobaugh

ABSENT

Jim Martin
Johnnie Wheeler

AGAINST

Larry Epps
Bob Duncan
Scott McCanless
Marson McCormick
Eris Bryant
Sue Neal
Dale Moss
Greg Rector
Kevin Maynard
Gene Mullins
Jere Mason
Bill Walker
Mike Atwood
Ron Chaffin

The Clerk announced that eight (8) voted for, fourteen (14) voted against, and two (2) were absent.

The Chairman announced that the amendment failed.

The Chairman asked the Commissioners to vote on the original motion to approve
16.4 Million be appropriated for a new elementary school to replace Jere Whitson
16.4 Million be appropriated for a new elementary school in Algood
24.9 Million be appropriated for a middle school to replace Prescott Middle School

This amount is not to exceed 57.7 Million Dollars and the Commissioners voted as follows:

FOR

David Randolph
Larry Epps
Bob Duncan
Jerry Ford
Scott McCanless
Eris Bryant
Sue Neal
Kevin Maynard
Gene Mullins
Bill Walker
Mike Atwood
Ron Chaffin

AGAINST

Andy Honeycutt
Marson McCormick
Anna Ruth Burroughs
Reggie Shanks
Joel Cowan
Mike Medley
Joe Trobaugh
Dale Moss
Greg Rector
Jere Mason

ABSENT

Jim Martin
Johnnie Wheeler

The Clerk announced that twelve (12) voted for, ten (10) voted against, and two (2) were absent.

The Chairman announced that the motion failed.

MOTION RE: RECESS

Commissioner Bob Duncan moved and Commissioner Kevin Maynard seconded to recess until July 30, 2007 for the purpose of considering Fiscal Review Item D.

The Chairman asked for questions. There were none.

The Chairman asked the Commissioners to vote on the motion to recess until July 30, 2007 for the purpose of considering Fiscal Review Item D and the Commissioners voted as follows:

FOR

David Randolph
Larry Epps
Bob Duncan
Jerry Ford
Scott McCanless
Eris Bryant
Sue Neal
Kevin Maynard
Gene Mullins
Bill Walker
Mike Atwood
Ron Chaffin

AGAINST

Andy Honeycutt
Marson McCormick
Anna Ruth Burroughs
Reggie Shanks
Joel Cowan
Mike Medley
Joe Trobaugh
Dale Moss
Greg Rector
Jere Mason

ABSENT

Jim Martin
Johnnie Wheeler

The Clerk announced that twelve (12) voted for, ten (10) voted against, and two (2) were absent.

The Chairman announced that the motion failed.

NOMINATING COMMITTEE

MOTION RE: CONSIDER APPOINTMENTS TO THE NEW SOCCER COMPLEX BOARD

PETER METTS – TERM OF FOUR YEARS - EXPIRE JUNE 30, 2011
BOB WOOD – TERM OF TWO YEARS – EXPIRE JUNE 30, 2009
BOB FAULHABER – TERM OF FOUR YEARS – EXPIRE JUNE 30, 2011
STEVE ROBINSON – TERM OF TWO YEARS – EXPIRE JUNE 30, 2009
JAMEY VASSILEY – TERM OF FOUR YEARS – EXPIRE JUNE 30, 2011
LARRY EPPS – TERM OF TWO YEARS – EXPIRE JUNE 30, 2009
J.B. DYER – TERM OF FOUR YEARS – EXPIRE JUNE 30, 2011

Commissioner Larry Epps moved and Commissioner Jere Mason seconded to approve the appointments to the new soccer complex board: Peter Metts – term of four years – expire June 30, 2011, Bob Wood – term of two years – expires June 30, 2009, Bob Faulhaber – term of four years – expires June 30, 2011, Steve Robinson – term of two years – expires June 30, 2009, Jamey Vassiley – term of four years – expires June 30, 2011, Larry Epps – term of two years – expires June 30, 2009, and J.B. Dyer – term of four years – expires June 30, 2011.

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

The Chairman asked for a voice vote on the motion to approve the appointments to the new soccer complex board. The motion carried.

REPORT OF SPECIAL COMMITTEES

Commissioner Bob Duncan spoke on the Rules Committee meeting and stated that the Rules Committee recommends that the Awards be presented at 5:45 p.m. and the meeting start at 6:00 p.m. and the awards be included in the minutes under item 8B.

RESOLUTIONS

MOTION RE: ELECTION OF NOTARIES

Commissioner Jere Mason moved and Commissioner Jerry Ford seconded to approve the Election of Notaries.

(SEE ATTACHED)

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ELECTION OF NOTARIES

TAMMY BENNETT

ALDA C. LEVENDOSKY

DEBBIE BURCHETT

MICHELLE B. PRICE

DEBRA H. FOSTER

EMMA JEAN PUCKETT

KIM HESS

VICKI SMITH

MAELENA A. HOLMES

TONY STAMPS

LINDA B. JARED

LINDA C. SWALLOWS

JEREMY JONES

MARY RUTH VAUGHN

ELMER DEAN LANGFORD

DALE WELCH

JULIE LEPLEY

VIRGINIA ANNE WILDER

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

The Chairman asked the Commissioners to vote on the motion to approve the Election of Notaries and the Commissioners voted as follows:

FOR

David Randolph
Larry Epps
Bob Duncan
Jerry Ford
Scott McCanless
Andy Honeycutt
Marson McCormick
Anna Ruth Burroughs
Reggie Shanks
Joel Cowan
Mike Medley

Eris Bryant
Sue Neal
Dale Moss
Greg Rector
Kevin Maynard
Gene Mullins
Jere Mason
Bill Walker
Mike Atwood
Ron Chaffin

ABSTAIN

Joe Trobaugh

ABSENT

Jim Martin
Johnnie Wheeler

The Clerk announced that twenty-one (21) voted for, one (1) abstained, and two (2) were absent.

The Chairman announced that the motion carried.

OTHER NEW BUSINESS

ANNOUNCEMENTS AND STATEMENTS

MOTION RE: ADJOURN

Commissioner Joel Cowan moved and Commissioner Jere Mason seconded to adjourn.

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

The Chairman asked for a voice vote on the motion to adjourn. The motion carried.

PLANNING COMMITTEE

MINUTES

July 9, 2007

Prepared by Deborah Francis

Jim Martin	Present	Eris Bryant	Present
Scott McCanless	Present	Dale Moss	Present
Reggie Shanks	Present	Jere Mason	Present
Marson McCormick	Present	Gene Mullins	Present
Anna Ruth Burroughs	Present	Mike Atwood	Present
Larry Epps	Present	Mike Medley	Present
Andy Honeycutt	Present	Joel Cowen	Present

Item #1 *Resolution to Adopt the Strategic Economic Development Plan for 2007-2012.*

Motion: Recommends approval of a Resolution to Adopt the Strategic Economic Development Plan for 2007-2012.

Made By: Martin
Seconded: Medley

VOICE VOTE APPROVED

Item #2 *Lease Agreement for the Plateau Mental Health Center property. Twin Lakes would like to lease approximately 1,600 square feet of property for the purpose of improving communications and provide new services to its customers.*

Motion: Recommends approval of a lease agreement for Twin Lakes Telephone Cooperative Corporation to lease real property for the purpose of improving communications and to provide new and advanced services to its customers for a period of twenty (20) years.

Made By: Martin
Seconded: Epps

VOICE VOTE APPROVED

Item #3 *Cooperation Agreement for housing project (Laurel Creek, Inc.)*

Motion: Recommends approval of the Cooperation Agreement for lower income housing project by the name of Laurel Creek Inc. located on Cora Road.

Made By: Martin
Seconded: Epps

VOICE VOTE APPROVED

Item #4 *Resolution concerning the use of Biodeisel*

Motion: Recommends approval of a Resolution to encourage the use of biodeisel in county vehicles.

Made By: Epps
Seconded: Atwood

VOICE VOTE APPROVED

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Item #5 Putnam County Highway Department Personnel Policy.

Motion: Recommends approval that the Putnam County Highway Department Personnel Policy be added to the minutes of the Full Commission.

Made By: Mullins
Seconded: Martin

VOICE VOTE APPROVED

Item #6 Any other business

At this time Commission Reggie Shanks made the following motion concerning the School Building Proposal:

Motion: Recommends to NOT TEAR DOWN Prescott Middle School and to renovate instead.

Made By: Shanks
Seconded: Burroughs

ROLL CALL VOTE

Yes	No
McCormick	Epps
Burroughs	Martin
Shanks	McCanless
Medley	Bryant
Moss	Mullins
Mason	Atwood

MOTION FAILS

ADJOURNED

PLANNING COMMITTEE

TO: Putnam County Board of Commissioners

FROM: Kim Blaylock, County Executive

DATE: July 2, 2007

RE: Planning Agenda

Listed below are items to be considered by the County's Planning Committee on Monday, July 9, 2007, at 6:00 PM in the County Commission Chambers at the Courthouse.

1. Consider Resolution to Adopt the Strategic Economic Development Plan for 2007-2012.
2. Discuss Lease Agreement for the Plateau Mental Health Center property.
3. Discuss Cooperation Agreement for lower incoming housing project by the name of Laurel Creek located on Cora Road.
4. Resolution to Encourage the Use of Biodeisel in County Vehicles
5. Consider Putnam County Highway Department Personnel Policy.
6. Any other business that needs to be reviewed by the Planning Committee.

FISCAL REVIEW COMMITTEE

MINUTES

July 9, 2007

Prepared by Deborah Francis

ROLL CALL

Bob Duncan	Present	Greg Rector	Present
Jerry Ford	Present	Kevin Maynard	Present
David Randolph	Present	Bill Walker	Present
Johnnie Wheeler	Present	Ron Chaffin	Present
Joe Trobaugh	Present	Sue Neal	Present
Andy Honeycutt	Present	Joel Cowen	Present

Item #3 was moved to the beginning of the Agenda

Item #3 *Scholarship funding in memory of Bill Rodgers*
Kim Blaylock introduced Ben Rodgers and Tom Looney to the Committee. They are trying to get scholarship funds together in memory of Commissioner Bill Rodgers. They would like to raise \$200,000 from private funding as well as from the counties that Bill worked in. They requested an amount of \$10,000 as a one time donation from Putnam County.

Motion: Recommends approval that \$10,000 be appropriated to a scholarship fund in memory of Bill Rodgers.

Made By: Wheeler
Seconded: Neal

ROLL CALL VOTE	
Yes	No
Duncan	Randolph
Ford	Cowan
Honeycutt	Rector
Wheeler	Maynard
Trobaugh	
Neal	
Walker	
Chaffin	

Item #1 *Soccer Complex*
Chairman Bob Duncan stepped down as chairman and made the motion:
The exact motion is attached as "Operation of Soccer Complex"

Made By: Duncan
Seconded: Ford

VOICE VOTE APPROVED

Item #2 *Resolution to charge management fee for documents filed in the County Clerk's Office*
County Clerk Wayne Nabors asked that the beginning date be changed to September 1, 2007.

Motion: Recommends approval of a Resolution to Establish a Archives and Records Management Fee for Documents filed in the Office of the Putnam County Clerk.

Made By: Johnnie
Seconded: Cowan

VOICE VOTE APPROVED

Item #4 *Hear from Dr. Airhart relating to proposed funding of Phase 1 of School Building Project.*

Dr. Airhart introduced Architect David Cochrell to the Committee. He gave a report about different prototypes for elementary schools and middle schools. They were broken down by, preferred, reduced and minimum plans. After much discussion, the following motion was made:

Motion: Recommends that:

16.4 Million be appropriated for an elementary school to replace Jere Whitson

16.4 Million be appropriated for a new elementary school in Algood

24.9 be appropriated for a middle school to replace Prescott Middle School

for a total of 57.7 Million Dollars

Made By: Maynard

Seconded: Neal

ROLL CALL VOTE

Yes No

Duncan Randolph

Ford Honeycutt

Neal Wheeler

Maynard Cowan

Walker Trobaugh

Chaffin Rector

GOES TO FULL COMMISSION WITHOUT RECOMMENDATION

Item #5 *Any other business that needs to be reviewed by the Fiscal Review Committee*

NONE

ADJOURNED

Operation of Soccer Complex

- Control of the Soccer Complex by the Upper Cumberland Soccer Complex Board of Directors is terminated effective immediately.
- A seven member Board shall be appointed by the County Commission to oversee the operations of the soccer complex. Such appointments shall come thru the Commission's nominating committee and shall be for four year staggered terms. At the initial appointment, 4 terms shall be for four years and 3 terms shall be for two years. The Director of Parks and Recreation and one member of the County Commission shall be included as Board members. Appointments to the Board shall run through June 30. New members will normally be appointed to the Board at the June meeting of the Commission. The nominating committee is requested to hold a special meeting prior to the July commission meeting to recommend names.
- The seven members of the Board shall be the only members entitled to vote on financial matters related to the Soccer Complex. The Board is authorized to appoint additional advisory members made up of representatives of the various organizations regularly using the soccer complex.
- The Board is authorized to set usage fees for the use of the complex. All such usage fees will be paid directly to Parks & Recreation by the using organization prior to the commencement of the season or event.
- The Board is requested to hold a minimum of two major multi-day tournaments a year in the first year and three multi-day tournaments after the first year of operations..
- The Board will be responsible for the concessions operations at the soccer complex and is authorized to maintain a bank account for concessions and tournament operations. The Board is further authorized to hire or contract for operations of either the concessions or tournament promotion and tournament operations.
- The Board will submit a financial report to Parks and Recreation at the end of each regular season of operations. The Board is further authorized to require a financial report from all leagues or other regular users of the soccer complex. These reports will be forwarded to Parks and Recreation.

FISCAL REVIEW AGENDA

TO: Putnam County Board of Commissioners

FROM: Kim Blaylock, County Executive

DATE: July 2, 2007

RE: Fiscal Review Committee Agenda

Listed below are items to be considered by the County's Fiscal Review Committee on Monday, July 9, 2007, at 5:00 PM in the County Commission Chambers at the Courthouse.

1. Discuss proposed actions relating to the Soccer Complex.
2. Consider a Resolution to Establish Archives and Records Management Fee for Documents filed in the Office of the Putnam County Clerk.
3. Discuss scholarship funding in memory of Bill Rodgers.
Kim Blaylock
4. Consider report from Dr. Kathleen Airhart, Director of Schools, related to proposed funding of Phase 1 of School Building Project.
5. Any other business that needs to be reviewed by the Fiscal Review Committee.