

BE IT REMEMBBERED THAT THE ANDERSON COUNTY BOARD OF COUNTY COMMISSION MET IN QUARTERLY SESSION JANUARY 17, 2012 WITH THE FOLLOWING COMMISSIONERS PRESENT: JOHN ALLEY, MARK ALDERSON, ZACK BATES, ROBIN BILOSKI, JERRY CREASEY, CHUCK FRITTS, WHITEY HITCHCOCK, DUSTY IRWIN, TIM ISBEL, ROBERT MCKAMEY, STEVE MEAD, RICK MEREDITH, BUZZ PATRICK, JOHN SHUEY, TRACY WANDELL AND JERRY WHITE.

Prayer led by Chaplin Claude Drummonds.

Pledge of Allegiance was led by Commissioner Hitchcock.

1. Commissioner Biloski moved to approve the Consent Agenda: December 19, 2011; Notaries & Bonds; Fire Commission Minutes (1-2012); Tourism Council Minutes (12-15-11); Veterans Service Advisory Minutes (1-3-12); appointments to the Lake City Library Board of Lake McCoy term expires 6/2014 and Carol Philips term expires 6/2013; Planning Commission appointments Chad Carmichael and Meryl Pierce 4 year term expiring 1/2016 and reallocation of funds received (\$600.00) by Andersonville Elementary School to purchase printer cartridges instead of the upgrade to the Star Math assessment due to School Board purchasing a new assessment program called Classworks. Seconded by Commissioner White.

Amended by Commissioner Creasey to moved ADA Report under Committees. Seconded by Hitchcock. Amended motion carried by voice vote.

Notaries

Marquita L Blanton
Melaine Lively
Eddie Lovely
Randy Lynn Martin

Karen T Postma
Scott Shafer
Karen E Shoffner
Lu Snellings

Monica Spurlock

Notary Bonds

Western Surety
Angela Brock
Maria C Lonas
Nancy L Murphy
Deanna J Robertson

Liberty Mutual
Dudley Fagan
Randall C Kirby

SBCA
Lynda Marcoux

Old Republic Surety
Thomas A Lancaster III
Hannah Tippet
Kathleen S Townsend

RLI Surety
T Cody Southard

State Farm
Dave Anderson Sr.
Beverly J Blaylock

2. Commissioner Biloski moved to approve Regular Agenda. Seconded by Commissioner Wandell. Motion carried by voice vote.

Public Hearing


3. Commissioner Irwin moved to approve recommendation from the Zoning to rezone property located at 3411 Clinton Hwy, Powell, TN. 37849 from A-2 Rural-Residential District to C-1 Commercial District: Tax Map 97, parcel 166.03, 1.22 acres. Seconded by Commissioner Mead. Motion carried by voice vote.

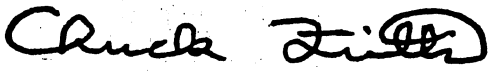
WHEREAS The Anderson County Regional Planning Commission has recommended that the property located at 3411 Clinton Highway, Powell, TN. 37849 be rezoned from A-2 Rural- Residential District to C-1 Commercial District.

NOW, THEREFORE, BE IT RESOLVED the Anderson County Board of Commissioners does hereby amend the Anderson County Zoning Map by rezoning the property further described as Tax Map 97, parcel 166.03, 1.22 acres. From A-2 Rural- Residential District- to C-1 Residential District as presented on the map provided the Commission on this day.

This resolution shall take effect immediately after its notification and passage, the public welfare requiring it.

Attest:


Jeff Cole, County Clerk


Chuck Fritts, Chairman

Date: 1-17-12

4. Commissioner Biloski moved to approve resolution recognizing School Board Appreciation Week. Seconded by Commissioner Meredith. Motion carried by voice vote.

**Anderson County, Tennessee
Board of Commissioners**

RESOLUTION NO. 422-112

A RESOLUTION RECOGNIZING SCHOOL BOARD APPRECIATION WEEK

WHEREAS, an excellent public education system is vital to the quality of life of our communities and to the economic development of our State; and

WHEREAS, school board members represent a tremendous resource as local decision makers, diligently working to meet the challenges of a dynamic world while ensuring that every child receives the services needed for a quality education; and

WHEREAS, school board members recognize the importance of educational reform and accept the responsibilities involved with implementing such initiatives as the Tennessee Diploma Project and the First to the Top Act; and

WHEREAS, the men and women of our local school boards are elected by the people and deserve recognition and thanks for their countless hours of service to public education in Tennessee;

NOW THEREFORE, BE IT RESOLVED, by the Anderson County Board of Commissioners meeting in quarterly session this 17th day of January, 2012, does hereby proclaim the week of January 22 - 28, 2012,

SCHOOL BOARD APPRECIATION WEEK

in Tennessee and encourage all citizens to join in the worthy observance.



Chuck Fritts, Chairman

ATTEST:



Myron Iwanski, County Mayor



Jeff Cole, County Clerk

5. Commissioner White moved to approve resolution honoring Mr. Derrick Phillips as an EMT-IV. Seconded by Commissioner Alderson. Motion carried by voice vote.

Anderson County, Tennessee**Board of Commissioners**

RESOLUTION NO.: 11-419

RESOLUTION HONORING MR. DERRICK PHILLIPS AS THE REGION II EMS DIRECTOR'S ASSOCIATION PARAMEDIC OF THE YEAR.

WHEREAS, in 2004, Anderson County EMS hired Derrick Phillips as an EMT-IV. Derrick is former active duty military and a former diesel mechanic but always dreamed of pursuing a career as an EMS worker; and

WHEREAS, through hard work and sacrifice, Derrick attended Paramedic school, graduated and earned his patch as a Paramedic; and

WHEREAS, in March of 2007, Derrick sustained serious and life threatening injuries as the result of an accident he responded to off duty as a volunteer first responder. During a fire, Derrick succumbed to superheated toxic gases and lost consciousness only to be rescued by fellow volunteers and attended to by his own EMS family. He was flown to UT Hospital by Lifestar where he spent a long time recovering from internal injuries; and

WHEREAS, as a result of this accident Derrick developed memory loss and pulmonary injuries. In August of 2007, he was able to come back to work for Anderson County EMS as the supply officer. Though Derrick was back working for the agency he dearly loved, he was determined to return to work as a full Paramedic; and

WHEREAS, through great strength of mind and body and perseverance, in 2011, four years after his accident, Derrick Phillips was given full release to work as a Paramedic again and now finds himself back on an ambulance, living out his dream and serving as an inspiration to others to never give up; and

WHEREAS, the Region II EMS Director's Association serves 16 counties in East Tennessee and has elected Derrick Phillips as the Paramedic of the Year for 2011, honoring his excellence in the field.

NOW THEREFORE, BE IT RESOLVED that the Anderson County Board of Commissioners meeting in regular session this 19th day of December, 2011, does recognize and honor Mr. Derrick Phillips as the Region II EMS Director's Association Paramedic of the Year for 2011 and sincerely thanks him for his true dedication and commitment to the profession, his family and our community.

RESOLVED, DULY PASSED AND APPROVED this 19th day of December, 2011.

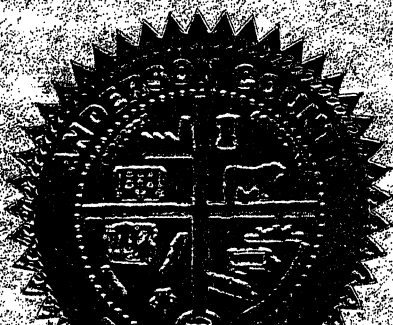


Chuck Fritts, Chair, AC Comm.



Myron Iwanski, Anderson County Mayor

ATTEST:



6. Commissioner Alderson moved to accept the proposal for Glen Alpine Convenience Center from the City of Clinton with more details coming from proposal to next County Commission Meeting. Seconded by Commissioner Meredith. Motion carried by voice. NO: Creasey.

County Attorney Report

7. Commissioner Irwin moved for an Executive Session following Commission Meeting. Seconded by Commissioner Shuey. Motion carried by voice vote.

8. Commissioner Biloski moved to approve the resolution to establish the Anderson County alternatives to Incarceration Department, Advisory Committee, and the position of Departmental Director. Seconded by Commissioner Irwin.

Amended by Commissioner Patrick that Section V be changed to a simple major. Seconded by Commissioner Mead. Amendment carried by voice vote.

Voting Aye on Amended motion: Alley, Bates, Biloski, Creasey, Fritts, Hitchcock, Irwin, Isbel, Mead, Patrick and Shuey. NO: Alderson, McKamey, Meredith, Wandell and White. Motion carried.

Anderson County, Tennessee Board of Commissioners

RESOLUTION NO. 12-421

A RESOLUTION TO ESTABLISH THE ANDERSON COUNTY ALTERNATIVES TO INCARCERATION DEPARTMENT, ADVISORY COMMITTEE, AND THE POSITION OF DEPARTMENTAL DIRECTOR.

WHEREAS, Anderson County Government has a need to establish a centralized department to handle a wide array of alternatives to incarceration programs designed to reduce the inmate population at the Anderson County Detention Facility through creation of additional sentencing options for utilization by local judges and members of the criminal justice system, and

WHEREAS, Anderson County desires to create an Alternatives to Incarceration Department and the full-time position of departmental Director to oversee the administration of the department and coordinate departmental personnel, and

WHEREAS, it will be necessary to establish a high level of competency and accountability in the delivery of services provided by the Alternatives to Incarceration Department at both the pretrial and post-conviction delivery points including classification, identification of treatment needs and resources, alternative supervision tools and improved communication to the courts, and

WHEREAS, Anderson County recognizes the critical importance of reducing the inmate population at the Detention Facility and increased budgetary costs of housing and caring for those incarcerated at the facility, and

WHEREAS, the need exists to have one department supervise all alternative sentencing options and programs, including pre-trial release and county misdemeanor probation, with uniform procedures, policies and supervision in place for the benefit and overall efficiency of the criminal justice system, as a whole, and

WHEREAS, the Alternatives to Incarceration Department requires qualified and competent leadership to approach the increasingly complex legal and administrative requirements needed to address, design and administer alternative sentencing programs, and

WHEREAS, to assist with the creation and oversight of the Alternatives to Incarceration Department, and the transition to a centralized and uniform approach to alternative sentencing options, Anderson County wishes to create the Alternatives to Incarceration Advisory Committee to provide needed input and guidance by members of the local criminal justice community.

NOW THEREFORE, BE IT RESOLVED by the Anderson County Legislative Body meeting in regular session this 16th day of January, 2012 in Clinton, Tennessee that:

Section I: Alternatives to Incarceration Department. The Anderson County Alternatives to Incarceration Department is hereby established to design, implement, coordinate and administer system wide alternative sentencing programs to reduce the overall inmate population at the Anderson County Detention Facility and provide local judges with sentencing options for the use and benefit of local criminal justice components.

Section II: Alternatives to Incarceration Advisory Committee. The Alternatives to Incarceration Advisory Committee is hereby created to assist with the implementation and establishment of the department and the development of its policies and procedures. The departmental Director will meet with the Advisory Committee to update and notify the members of recent issues and developments within the department at regular intervals to be determined by the Advisory Committee. The Advisory Committee shall monitor and oversee the department and its Director for the purpose of providing assistance when needed, evaluating concerns, and monitoring for policy compliance purposes. The Advisory Committee will develop the job description and required qualifications for the Director and will develop the selection process for the Director's position. Upon two-thirds (2/3) majority vote, the Advisory Committee will select and recommend a candidate for final confirmation by the County Commission. The voting members of the Advisory Committee are as follows:

- 1) County Mayor
- 2) Circuit Court Clerk
- 3) District Attorney General
- 4) District Public Defender
- 5) County Commissioner, as selected by County Commission
- 6) Chief Jailer
- 7) Community Mental Health or Correctional Professional, as selected by County Mayor.

Voting members may select a non-voting designated representative to serve in his or her absence at designated meetings for informational purposes and the representative may cast proxy votes for the identified voting member.

Section III: Alternatives to Incarceration Director. The position of Alternatives to Incarceration Director is hereby created to oversee the daily operations of the department and administer programs and initiatives designed to reduce inmate populations at the Anderson County Detention Facility and provide sentencing options to the County Judiciary. The Director will be under the day-to-day direction and control of

the County Mayor. The Director shall report to the Advisory Committee and the County Commission for status reports as requested. Director's position is a full-time employee of Anderson County Government. This position is declared to be exempt from overtime compensation under the Fair Labor Standards Act. Compensation will be set at a minimum pay grade Level 12 under the Anderson County Compensation Plan. Director and all departmental employees are eligible to receive all county benefits normally offered to full-time county employees

Section IV: Job Responsibilities. The Alternatives to Incarceration Director shall be responsible for the following job duties:

1) Policies and Procedures. Development, interpretation and administration of policies and procedures for department personnel including, but not limited to, recruitment of a quality workforce and associated hiring process; pay practices; training, evaluations and development of employees; benefits; staffing and employment resources; compliance with county policies and procedures and state and federal workplace laws,

2) Program Planning and Design. Plan, design and implement a variety of programs geared toward reducing the inmate population at the County's Detention Facility. Provide sentencing and counseling programs for the County Judiciary by analyzing data and development of program validation models through evidence based practices and data. Seek input from all criminal justice stakeholders as to what programs best fit the needs of their client base.

3) Budget Responsibilities. Develops, implements and administers the annual departmental budget and manages department's budgetary needs within the established and approved annual budget.

4) Pre-Trial Release Department. Supervises the Pre-Trial Release Department with the assistance of the Pre-Trial Release Manager. Oversees management of caseload, client contacts and compliance with pre-trial release agreements.

5) Communication with County Judiciary. Ensures that effective methodologies and communication systems are in place to communicate with the County Judiciary and to receive needed input on program needs and administration. Communicates with the County Judiciary as requested on the activities of the department including, but not limited to, caseloads, client contacts, compliance with court orders, releases, revocations, referrals for treatment, termination of treatment, and any other aspect of client supervision needed by the courts so as to assist in assessing the effectiveness of the programs as well as ensuring defendants are held accountable to the orders of the courts.

6) Administrative Guidance. Provides supervision and administrative guidance for departmental employees and provides advice to criminal justice stakeholders when needed.

7) Misdemeanor Probation. Perform analytical studies and cost benefit analyses to determine if the re-creation of County operated misdemeanor probation is practical, prudent and cost effective as opposed to private misdemeanor probation services.

8) Grant Opportunities. Constantly seek out and apply for all grant opportunities that will assist with the stated mission of the department and implementation of future program needs. Complete all Phase II applications consistent with the requirements of the Justice Reinvestment Act.

9) Compliance with State and Federal Laws. Administers and ensures compliance with all mandated state and federal laws related to personnel issues and program compliance monitoring.

10) Written Communications. Preparation of personnel and departmental informational related letters and memorandums to employees, judges, county commission, advisory committee members, criminal justice stakeholders, office holders, department heads and employees to include, office letters, program updates, statistical validation of implemented programs, hiring and termination, discipline, salary and status changes, employment documents, and general departmental announcements.

11) Training Programs. Conducts staff training programs to improve the overall quality of the departmental staff.

12) Special Studies and Research. Performs a variety of special studies and analyses for the County Mayor, County Commission, County Judiciary, Advisory Committee and criminal justice stakeholders.

13) Maintains Competence. Keeps abreast of professional developments in the related fields of alternative sentencing, probation, pre-trial release, counseling and community corrections and the legal environment affecting the departmental programs. Attends annual training seminars and conferences on job related topics and concerns as needed.

14) County Attorney Reports and Notifications. Notifies, consults with, and reports to the County Attorney with regard to all lawsuits, claims or potential claims arising from departmental activities.

15) Create Partnerships and Communication Networks. Director shall endeavor to create partnerships and ongoing communication exchange networks with local, state and federal agencies, mental health contributors, community corrections programs, drug court, and components of the local criminal justice system to provide input to departmental programs and facilitate the exchange of needed information in an effort to improve the efficiency of the department.

16) Miscellaneous Assignments. Performs other miscellaneous job duties as assigned, either verbally or written, at the request of the County Mayor or Advisory Committee.

17) Discrimination Prohibited. Takes preventative measures to ensure that no person supervised by the department or seeking employment, or currently employed with department shall be discriminated against on the basis of race, nationality, color, gender, age, handicap, and political or religious preference.

18) Disclosure of Criminal Record and Motor Vehicle Convictions. Requires that all persons seeking employment with the department be required to disclose, before employment is offered, all criminal and motor vehicle convictions.

19) Surety Bond Requirement. Safeguards that all persons seeking employment with the Anderson County Alternatives to Incarceration Department shall be bondable for surety and performance bond purposes for the particular position sought. No person shall be employed by Anderson County Government that is unfit for surety and performance bond coverage.

Section V: Termination of the Alternatives to Incarceration Director. The County Mayor upon the consultation, advice and recommendation by majority vote of the Alternatives to Incarceration Advisory Committee and subsequent majority vote of the County Commission may terminate the Alternatives to Incarceration Director.

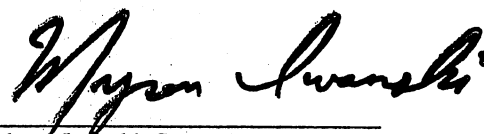
Section VI: Conflict with Prior Resolutions. All past Resolutions in conflict with this Resolution are hereby repealed effective immediately.

Section VII: Effective Date. This Resolution shall take effect immediately upon passage by the Anderson County Legislative Body, the public welfare requiring it.

RESOLVED, adopted and effective this 16th day of January, 2012

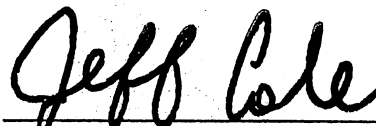


Chuck Fritts, County Commission Chair



Myron Iwanski, County Mayor

ATTEST:



Jeff Cole, County Clerk

Veterans Report

No action taken at this time.

ADA Report

No action taken at this time.

9. Commissioner McKamey moved for a 10 minute recess. Seconded by Commissioner Creasey. Motion carried by voice vote.

"10 minute recess"

Budget Committee Report

10. Commissioner White moved to approve recommendation from the Budget Committee the following appropriations in the School Department. Seconded by Commissioner Biloski.

Voting Aye: Alderson, Alley, Bates, Biloski, Creasey, Fritts, Hitchcock, Irwin, Isbel, McKamey, Mead, Meredith, Patrick, Shuey, Wandell and White. Motion carried.

Increase Expenditure Code:

143-73100-710	Cafeteria Equipment	\$210,000.00
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Decrease Reserve Code:

143-34570	Restricted Food Service	\$210,000.00
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Increase Revenue Code:

141-44570	Contributions & Gifts	\$7,000.00
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Increase Expenditure Code:

141-72410-316	Contributions	\$7,000.00
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11. Commissioner McKamey moved to approve recommendation from the Budget Committee the following transfers for the School Department. Seconded by Commissioner White. Motion carried by voice vote.

Increase Expenditure Codes:

145.13-73300-161	Secretary	\$478.18
145.13-73300-195	Substitutes	600.00
145.13-73300-207	Medical Insurance	5,957.00
145.13-73300-499	Other Supplies	188.08
145.13-99100-590-1000	Transfers to Others	<u>2,500.00</u>
	Total Expenditures Increase	\$9,723.26

Decrease Expenditure Codes:

145.13-73300-116	Certified Teachers	\$9,057.00
145.13-73300-320	Dues & Memberships	10.00
145.13-73300-435	Office Supplies	250.00
145.13-73300-599	Other Charges	<u>406.26</u>
	Total Expenditures Decrease	\$9,723.26

Increase Expenditure Codes:

145.14-73300-105	Director's Salary	\$216.70
145.14-73300-116	Teachers Salary	83.50
145.14-73300-189	Other salaries & wages	15,000.00
145.14-73300-599	Other Supplies	108.00
145.14-73300-790-1000	Other equipment-HSBS Grant	19.68
145.14-99100-590-1000	Transfers to Others	<u>2,750.00</u>
	Total Expenditures Increase	\$18,177.88

Decrease Expenditure Codes:

145.14-73300-130	Social Workers	\$4,940.94
145.14-73300-163	Educational Assistants	13,217.26
145.14-73300-499-1000	Other Supplies & Materials-HSBS	<u>19.68</u>
	Total Expenditures Decrease	\$18,177.88

Increase Expenditure Codes:

145.16-73300-189	Other Salary & Wages	\$18,816.00
145.16-73300-201	Social Security	1,167.01
145.16-73300-204	State Retirement	1,478.98
145.16-73300-206	Life Insurance	50.80
145.16-73300-210	Unemployment Compensation	93.80
145.16-73300-212	Medicare	272.38
145.16-99100-513	Workman's Compensation	<u>84.67</u>
	Total Expenditures Increase	\$21,963.84

Decrease Expenditure Codes:

145.16-73300-207	Medical Insurance	113.84
145.16-73300-422	Food Supplies	11,350.00
145.16-73300-499	Other Supplies	2,000.00
145.16-99100-590-1000	Transfers to Others	<u>8,500.00</u>
	Total Expenditures Decrease	\$21,963.84

12. Commissioner White moved to approve recommendation from Budget Committee the following appropriations in Non School Funds. Seconded by Commissioner Irwin.

Voting Aye: Alderson, Alley, Bates, Biloski, Creasey, Fritts, Hitchcock, Irwin, Isbel, McKamey, Mead, Meredith, Patrick, Shuey, Wandell and White. Motion carried.

Increase Revenue Code:

101-49100	Bond Proceeds	\$4,500.00
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Increase Expenditure Code:

101-52500-799	Other Capital Outlay	\$4,500.00
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Decrease Expenditure Codes:

101-54900-142	Mechanics Salary	\$3,333.00
101-54900-353	Towing	300.00
101-54900-399	Other Charges	85.00
101-54900-433	Lubricants	444.78
101-54900-453	Vehicle Parts	<u>3,155.53</u>
	Total Expenditures Decrease	\$7,318.31

Decrease Revenue Code:

101-49800	Operating Transfers	\$7,318.31
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Decrease Reserve Code:

115-34635-3000	Lake City Reserve	\$3,208.52
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Increase Expenditure Code:

115-56500-709-3001	Data Processing Equipment	\$3,208.52
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13. Commissioner Irwin moved to approve recommendation from the Budget Committee the following Non School transfers. Seconded by Commissioner Wandell. Motion carried by voice vote. NO: White.

Decrease Expenditure Code:

101-52400-162	Clerical Personnel	\$3,000.00
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Increase Expenditure Codes:

101-52400-348	Postage	\$400.00
101-52400-499	Other Supplies & Materials	600.00
101-52400-711	Furniture & Fixtures	<u>2,000.00</u>
	Total Expenditures Increase	\$3,000.00

Decrease Expenditure Code:

101-53500-169	Part-Time help	\$426.00
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Increase Expenditure Code:

101-53500-161	Secretary	\$426.00
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Increase Expenditure Code:

101-53920-799	Other Capital Outlay	\$32,054.00
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Decrease Expenditure Code:

101-53100-799	Other Capital Outlay	\$32,054.00
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14. Commissioner Irwin moved to approve recommendation from the Budget Committee the following appropriation in the General Fund (Claxton Sewer). Seconded by Commissioner Wandell.

Voting Aye: Alderson, Alley, Bates, Biloski, Creasey, Fritts, Hitchcock, Irwin, Isbel, McKamey, Mead, Meredith, Patrick, Shuey, Wandell and White. Motion carried.

Increase Revenue Code:

101-46390-2003	ARC Grant for Claxton	\$181,750.00
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Decrease Reserve Code:

101-34530-2003	Reserve Code	\$181,750.00
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Increase Expenditure Codes:

101-91170-321-2003	Engineering Cost	\$ 32,500.00
101-91170-399-2003	Other Contracted Services	<u>331,000.00</u>
	Total Expenditures Increase	\$363,500.00

Operations Committee Report

15. Commissioner McKamey moved to approve recommendation from the Operations Committee the County Flood Damage Prevention Resolution. Seconded by Commissioner Mead. Motion carried by voice vote.

RESOLUTION NO. _____

COUNTY FLOOD DAMAGE PREVENTION RESOLUTION

A RESOLUTION ADOPTED FOR THE PURPOSE OF AMENDING THE ANDERSON COUNTY, TENNESSEE REGIONAL ZONING RESOLUTION REGULATING DEVELOPMENT WITHIN THE JURISDICTION OF ANDERSON COUNTY, TENNESSEE, TO MINIMIZE DANGER TO LIFE AND PROPERTY DUE TO FLOODING, AND TO MAINTAIN ELIGIBILITY FOR PARTICIPATION IN THE NATIONAL FLOOD INSURANCE PROGRAM.

ARTICLE I. STATUTORY AUTHORIZATION, FINDINGS OF FACT, PURPOSE AND OBJECTIVES**Section A. Statutory Authorization**

The Legislature of the State of Tennessee has in Sections 13-7-101 through 13-7-115, Tennessee Code Annotated delegated the responsibility to the county legislative body to adopt regulations designed to promote the public health, safety, and general welfare of its citizenry. Therefore, the ANDERSON County, Tennessee, Mayor and County Commission, do resolve as follows:

Section B. Findings of Fact

1. The ANDERSON County, Tennessee, Mayor and its Legislative Body wish to maintain eligibility in the National Flood Insurance Program (NFIP) and in order to do so must meet the NFIP regulations found in Title 44 of the Code of Federal Regulations (CFR), Ch. 1, Section 60.3.
2. Areas of ANDERSON County, Tennessee are subject to periodic inundation which could result in loss of life and property, health and safety hazards, disruption of commerce and governmental services, extraordinary public expenditures for flood protection and relief, and impairment of the tax base, all of which adversely affect the public health, safety and general welfare.
3. Flood losses are caused by the cumulative effect of obstructions in floodplains, causing increases in flood heights and velocities; by uses in flood hazard areas which are vulnerable to floods; or construction which is inadequately elevated, floodproofed, or otherwise unprotected from flood damages.

Section C. Statement of Purpose

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

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

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

Section D. Objectives

The objectives of this Resolution are:

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

ARTICLE II. DEFINITIONS

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

"Accessory Structure" means a subordinate structure to the principal structure on the same lot and, for the purpose of this Resolution, shall conform to the following:

1. Accessory structures shall only be used for parking of vehicles and storage.
2. Accessory structures shall be designed to have low flood damage potential.
3. Accessory structures shall be constructed and placed on the building site so as to offer the minimum resistance to the flow of floodwaters.
4. Accessory structures shall be firmly anchored to prevent flotation, collapse, and lateral movement, which otherwise may result in damage to other structures.
5. Utilities and service facilities such as electrical and heating equipment shall be elevated or otherwise protected from intrusion of floodwaters.

"Addition (to an existing building)" means any walled and roofed expansion to the perimeter or height of a building.

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

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

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

"Area of Special Flood Hazard" see **"Special Flood Hazard Area"**.

"Base Flood" means the flood having a one percent chance of being equaled or exceeded in any given year. This term is also referred to as the 100-year flood or the one (1)-percent annual chance flood.

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

"Building" see **"Structure"**.

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

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

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

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

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

"Existing Construction" means any structure for which the "start of construction" commenced before the effective date of the initial floodplain management code or resolution adopted by the community as a basis for that community's participation in the NFIP.

"Existing Manufactured Home Park or Subdivision" means a manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including, at a minimum, the installation of utilities, the construction of streets, final site grading or the pouring of concrete pads) is completed before the effective date of the first floodplain management code or resolution adopted by the community as a basis for that community's participation in the NFIP.

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

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

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

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

"Flood Elevation Determination" means a determination by the Federal Emergency Management Agency (FEMA) of the water surface elevations of the base flood, that is, the flood level that has a one percent or greater chance of occurrence in any given year.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

"Historic Structure" means any structure that is:

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

"Levee" means a man-made structure, usually an earthen embankment, designed and constructed in accordance with sound engineering practices to contain, control or divert the flow of water so as to provide protection from temporary flooding.

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

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

"Manufactured Home" means a structure, transportable in one or more sections, which is built on a permanent chassis and designed for use with or without a permanent foundation when attached to the required utilities. The term "Manufactured Home" does not include a "Recreational Vehicle".

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

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

"Mean Sea Level" means the average height of the sea for all stages of the tide. It is used as a reference for establishing various elevations within the floodplain. For the purposes of this Resolution, the term is synonymous with the National Geodetic Vertical Datum (NGVD) of 1929, the North American Vertical Datum (NAVD) of 1988, or other datum, to which Base Flood Elevations shown on a community's Flood Insurance Rate Map are referenced.

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

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

"New Manufactured Home Park or Subdivision" means a manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed on or after the effective date of this resolution or the effective date of the initial floodplain management resolution and includes any subsequent improvements to such structure.

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

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

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

"Reasonably Safe from Flooding" means base flood waters will not inundate the land or damage structures to be removed from the Special Flood Hazard Area and that any subsurface waters related to the base flood will not damage existing or proposed structures.

"Recreational Vehicle" means a vehicle which is:

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

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

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

"Special Flood Hazard Area" is the land in the floodplain within a community subject to a one percent or greater chance of flooding in any given year. The area may be designated as Zone A on the FHBM. After detailed ratemaking has been completed in preparation for publication of the FIRM, Zone A usually is refined into Zones A, AO, AH, A1-30, AE or A99.

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

"Start of Construction" includes substantial improvement, and means the date the building permit was issued, provided the actual start of construction, repair, reconstruction, rehabilitation, addition, placement, or other improvement was within 180 days of the permit date. The actual start means either the first placement of permanent construction of a structure (including a manufactured home) on a site, such as the pouring of slabs or footings, the installation of piles, the construction of columns, or any work beyond the stage of excavation; and includes the placement of a manufactured home on a foundation. Permanent construction does not include initial land preparation, such as clearing, grading and filling; nor does it include the installation of streets and/or walkways; nor does it include excavation for a basement, footings, piers, or foundations or the erection of temporary forms; nor does it include the installation on the property of accessory buildings, such as garages or sheds, not occupied as dwelling units or not part of the main structure. For a substantial improvement, the actual start of construction means the first alteration of any wall, ceiling, floor, or other structural part of a building, whether or not that alteration affects the external dimensions of the building.

"State Coordinating Agency" the Tennessee Department of Economic and Community Development's, Local Planning Assistance Office, as designated by the Governor of the State of Tennessee at the request of FEMA to assist in the implementation of the NFIP for the State.

"Structure" for purposes of this Resolution, means a walled and roofed building, including a gas or liquid storage tank, that is principally above ground, as well as a manufactured home.

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

"Substantial Improvement" means any reconstruction, rehabilitation, addition, alteration or other improvement of a structure in which the cost equals or exceeds fifty percent (50%) of the market value of the structure before the "start of construction" of the initial improvement. This term includes structures which have incurred "substantial damage", regardless of the actual repair

work performed. The market value of the structure should be (1) the appraised value of the structure prior to the start of the initial improvement, or (2) in the case of substantial damage, the value of the structure prior to the damage occurring.

The term does not, however, include either: (1) Any project for improvement of a structure to correct existing violations of State or local health, sanitary, or safety code specifications which have been pre-identified by the local code enforcement official and which are the minimum necessary to assure safe living conditions and not solely triggered by an improvement or repair project or; (2) Any alteration of a "historic structure", provided that the alteration will not preclude the structure's continued designation as a "historic structure".

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

"Variance" is a grant of relief from the requirements of this Resolution.

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

"Water Surface Elevation" means the height, in relation to the National Geodetic Vertical Datum (NGVD) of 1929, the North American Vertical Datum (NAVD) of 1988, or other datum, where specified, of floods of various magnitudes and frequencies in the floodplains of riverine areas.

ARTICLE III. GENERAL PROVISIONS

Section A. Application

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

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

The Areas of Special Flood Hazard identified on the ANDERSON County, Tennessee, as identified by FEMA, and in its Flood Insurance Study (FIS) and Flood Insurance Rate Map (FIRM), Community Panel Number(s) 47001C0-075F, 100F, 106F, 107F, 108F, 125F, 133F, 134F, 137F, 145F, 153F, 165F, 200F, 205F, 210F, 212F, 214F, 215F, 216F, 217F, 218F, 219F, 236F, 238F, 239F, 265F, 277F, 281F, 282F, 302F, and 310F, dated January 17, 2007; and 47001C0-018F, 019F, 020F, 109F, 120F, 127F, 128F, 129F, 131F, 136F, 138F, 139F, 230F, 232F, 234F, 235, 237F, 245F, 251F, and 255F, dated May 4, 2009, along with all supporting technical data, are adopted by reference and declared to be a part of this Resolution.

Section C. Requirement for Development Permit

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

Section D. Compliance

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

Section E. Abrogation and Greater Restrictions

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

Section F. Interpretation

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

Section G. Warning and Disclaimer of Liability

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

Section H. Penalties for Violation

Violation of the provisions of this Resolution or failure to comply with any of its requirements, including violation of conditions and safeguards established in connection with grants of variance shall constitute a misdemeanor punishable as other misdemeanors as provided by law. Any person who violates this resolution or fails to comply with any of its requirements shall, upon adjudication therefore, be fined as prescribed by Tennessee statutes, and in addition, shall pay all costs and expenses involved in the case. Each day such violation continues shall be considered a separate offense. Nothing herein contained shall prevent ANDERSON County, Tennessee from taking such other lawful actions to prevent or remedy any violation.

ARTICLE IV. ADMINISTRATION

Section A. Designation of Resolution Administrator

The Stormwater Coordinator and Staff Planner are hereby appointed as the Administrators to implement the provisions of this Resolution.

Section B. Permit Procedures

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

1. Application stage

- a. Elevation in relation to mean sea level of the proposed lowest floor, including basement, of all buildings where Base Flood Elevations are available, or to certain height above the highest adjacent grade when applicable under this Resolution.
- b. Elevation in relation to mean sea level to which any non-residential building will be floodproofed where Base Flood Elevations are available, or to certain height above the highest adjacent grade when applicable under this Resolution.
- c. A FEMA Floodproofing Certificate from a Tennessee registered professional engineer or architect that the proposed non-residential floodproofed building will meet the floodproofing criteria in Article V, Sections A and B.
- d. Description of the extent to which any watercourse will be altered or relocated as a result of proposed development.

2. Construction Stage

Within AE Zones, where Base Flood Elevation data is available, any lowest floor certification made relative to mean sea level shall be prepared by or under the direct supervision of, a Tennessee registered land surveyor and certified by same. The Administrator shall record the elevation of the lowest floor on the development permit. When floodproofing is utilized for a non-residential building, said certification shall be prepared by, or under the direct supervision of, a Tennessee registered professional engineer or architect and certified by same.

Within approximate A Zones, where Base Flood Elevation data is not available, the elevation of the lowest floor shall be determined as the measurement of the lowest floor of the building relative to the highest adjacent grade. The Administrator shall record the elevation of the lowest floor on the development permit. When floodproofing is utilized for a non-residential building, said certification shall be prepared by, or under the direct supervision of, a Tennessee registered professional engineer or architect and certified by same.

For all new construction and substantial improvements, the permit holder shall provide to the Administrator an as-built certification of the lowest floor elevation or floodproofing level upon the completion of the lowest floor or floodproofing.

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

Section C. Duties and Responsibilities of the Administrator

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

1. Review all development permits to assure that the permit requirements of this Resolution have been satisfied, and that proposed building sites will be reasonably safe from flooding.
2. Review proposed development to assure that all necessary permits have been received from those governmental agencies from which approval is required by Federal or State law, including Section 404 of the Federal Water Pollution Control Act Amendments of 1972, 33 U.S.C. 1334.
3. Notify adjacent communities and the Tennessee Department of Economic and Community Development prior to any alteration or relocation of a watercourse and submit evidence of such notification to FEMA.
4. For any altered or relocated watercourse, submit engineering data/analysis within six (6) months to FEMA to ensure accuracy of community FIRM's through the Letter of Map Revision process.
5. Assure that the flood carrying capacity within an altered or relocated portion of any watercourse is maintained.
6. Record the elevation, in relation to mean sea level or the highest adjacent grade, where applicable, of the lowest floor (including basement) of all new and substantially improved buildings, in accordance with Article IV, Section B.
7. Record the actual elevation, in relation to mean sea level or the highest adjacent grade, where applicable to which the new and substantially improved buildings have been floodproofed, in accordance with Article IV, Section B.
8. When floodproofing is utilized for a nonresidential structure, obtain certification of design criteria from a Tennessee registered professional engineer or architect, in accordance with Article IV, Section B.
9. Where interpretation is needed as to the exact location of boundaries of the Areas of Special Flood Hazard (for example, where there appears to be a conflict between a mapped boundary and actual field conditions), make the necessary interpretation. Any person contesting the location of the boundary shall be given a reasonable opportunity to appeal the interpretation as provided in this Resolution.

10. When Base Flood Elevation data and floodway data have not been provided by FEMA, obtain, review, and reasonably utilize any Base Flood Elevation and floodway data available from a Federal, State, or other sources, including data developed as a result of these regulations, as criteria for requiring that new construction, substantial improvements, or other development in Zone A on the ANDERSON County, Tennessee FIRM meet the requirements of this Resolution.
11. Maintain all records pertaining to the provisions of this Resolution in the office of the Administrator and shall be open for public inspection. Permits issued under the provisions of this Resolution shall be maintained in a separate file or marked for expedited retrieval within combined files.

ARTICLE V. PROVISIONS FOR FLOOD HAZARD REDUCTION

Section A. General Standards

In all areas of special flood hazard, the following provisions are required:

1. New construction and substantial improvements shall be anchored to prevent flotation, collapse and lateral movement of the structure;
2. Manufactured homes shall be installed using methods and practices that minimize flood damage. They must be elevated and anchored to prevent flotation, collapse and lateral movement. Methods of anchoring may include, but are not limited to, use of over-the-top or frame ties to ground anchors. This requirement is in addition to applicable State of Tennessee and local anchoring requirements for resisting wind forces.
3. New construction and substantial improvements shall be constructed with materials and utility equipment resistant to flood damage;
4. New construction and substantial improvements shall be constructed by methods and practices that minimize flood damage;
5. All electrical, heating, ventilation, plumbing, air conditioning equipment, and other service facilities shall be designed and/or located so as to prevent water from entering or accumulating within the components during conditions of flooding;
6. New and replacement water supply systems shall be designed to minimize or eliminate infiltration of flood waters into the system;
7. New and replacement sanitary sewage systems shall be designed to minimize or eliminate infiltration of flood waters into the systems and discharges from the systems into flood waters;
8. On-site waste disposal systems shall be located and constructed to avoid impairment to them or contamination from them during flooding;
9. Any alteration, repair, reconstruction or improvements to a building that is in compliance with the provisions of this Resolution, shall meet the requirements of "new construction" as contained in this Resolution;
10. Any alteration, repair, reconstruction or improvements to a building that is not in compliance with the provision of this Resolution, shall be undertaken only if said non-conformity is not further extended or replaced;
11. All new construction and substantial improvement proposals shall provide copies of all necessary Federal and State permits, including Section 404 of the Federal Water Pollution Control Act amendments of 1972, 33 U.S.C. 1334;
12. All subdivision proposals and other proposed new development proposals shall meet the standards of Article V, Section B;
13. When proposed new construction and substantial improvements are partially located in an area of special flood hazard, the entire structure shall meet the standards for new construction;

14. When proposed new construction and substantial improvements are located in multiple flood hazard risk zones or in a flood hazard risk zone with multiple Base Flood Elevations, the entire structure shall meet the standards for the most hazardous flood hazard risk zone and the highest Base Flood Elevation.

Section B. Specific Standards

In all Areas of Special Flood Hazard, the following provisions, in addition to those set forth in Article V, Section A, are required:

1. Residential Structures

In AE Zones where Base Flood Elevation data is available, new construction and substantial improvement of any residential building (or manufactured home) shall have the lowest floor, including basement, elevated to no lower than one (1) foot above the Base Flood Elevation. Should solid foundation perimeter walls be used to elevate a structure, openings sufficient to facilitate equalization of flood hydrostatic forces on both sides of exterior walls shall be provided in accordance with the standards of this section: "Enclosures".

Within approximate A Zones where Base Flood Elevations have not been established and where alternative data is not available, the administrator shall require the lowest floor of a building to be elevated to a level of at least three (3) feet above the highest adjacent grade (as defined in Article II). Should solid foundation perimeter walls be used to elevate a structure, openings sufficient to facilitate equalization of flood hydrostatic forces on both sides of exterior walls shall be provided in accordance with the standards of this section: "Enclosures".

2. Non-Residential Structures

In AE Zones, where Base Flood Elevation data is available, new construction and substantial improvement of any commercial, industrial, or non-residential building, shall have the lowest floor, including basement, elevated or floodproofed to no lower than one (1) foot above the level of the Base Flood Elevation. Should solid foundation perimeter walls be used to elevate a structure, openings sufficient to facilitate equalization of flood hydrostatic forces on both sides of exterior walls shall be provided in accordance with the standards of this section: "Enclosures".

In approximate A Zones, where Base Flood Elevations have not been established and where alternative data is not available, new construction and substantial improvement of any commercial, industrial, or non-residential building, shall have the lowest floor, including basement, elevated or floodproofed to no lower than three (3) feet above the highest adjacent grade (as defined in Article II). Should solid foundation perimeter walls be used to elevate a structure, openings sufficient to facilitate equalization of flood hydrostatic forces on both sides of exterior walls shall be provided in accordance with the standards of this section: "Enclosures".

Non-Residential buildings located in all A Zones may be floodproofed, in lieu of being elevated, provided that all areas of the building below the required elevation are watertight, with walls substantially impermeable to the passage of water, and are built with structural components having the capability of resisting hydrostatic and hydrodynamic loads and the effects of buoyancy. A Tennessee registered professional engineer or architect shall certify that the design and methods of construction are in accordance with accepted standards of practice for meeting the provisions above, and shall provide such certification to the Administrator as set forth in Article IV, Section B.

3. Enclosures

All new construction and substantial improvements that include fully enclosed areas formed by foundation and other exterior walls below the lowest floor that are subject to flooding, shall be designed to preclude finished living space and designed to allow for the entry and exit of flood waters to automatically equalize hydrostatic flood forces on exterior walls.

- a. Designs for complying with this requirement must either be certified by a Tennessee professional engineer or architect or meet or exceed the following minimum criteria:
 - 1) Provide a minimum of two openings having a total net area of not less than one (1) square inch for every square foot of enclosed area subject to flooding;
 - 2) The bottom of all openings shall be no higher than one (1) foot above the finished grade;
 - 3) Openings may be equipped with screens, louvers, valves or other coverings or devices provided they permit the automatic flow of floodwaters in both directions.
- b. The enclosed area shall be the minimum necessary to allow for parking of vehicles, storage or building access.
- c. The interior portion of such enclosed area shall not be finished or partitioned into separate rooms in such a way as to impede the movement of floodwaters and all such partitions shall comply with the provisions of Article V, Section B.

4. Standards for Manufactured Homes and Recreational Vehicles

- a. All manufactured homes placed, or substantially improved, on: (1) individual lots or parcels, (2) in expansions to existing manufactured home parks or subdivisions, or (3) in new or substantially improved manufactured home parks or subdivisions, must meet all the requirements of new construction.
- b. All manufactured homes placed or substantially improved in an existing manufactured home park or subdivision must be elevated so that either:
 - 1) In AE Zones, with Base Flood Elevations, the lowest floor of the manufactured home is elevated on a permanent foundation to no lower than one (1) foot above the level of the Base Flood Elevation or
 - 2) In approximate A Zones, without Base Flood Elevations, the manufactured home chassis is elevated and supported by reinforced piers (or other foundation elements of at least equivalent strength) that are at least three (3) feet in height above the highest adjacent grade (as defined in Article II).
- c. Any manufactured home, which has incurred "substantial damage" as the result of a flood, must meet the standards of Article V, Sections A and B.
- d. All manufactured homes must be securely anchored to an adequately anchored foundation system to resist flotation, collapse and lateral movement.
- e. All recreational vehicles placed in an identified Special Flood Hazard Area must either:
 - 1) Be on the site for fewer than 180 consecutive days;
 - 2) Be fully licensed and ready for highway use (a recreational vehicle is ready for highway use if it is licensed, on its wheels or jacking system, attached to the site only by quick disconnect type utilities and security devices, and has no permanently attached structures or additions), or;
 - 3) The recreational vehicle must meet all the requirements for new construction.

5. Standards for Subdivisions and Other New Development Proposals

Subdivisions and other proposed new developments, including manufactured home parks, shall be reviewed to determine whether such proposals will be reasonably safe from flooding.

- a. All subdivision and other proposed new development proposals shall be consistent with the need to minimize flood damage.
- b. All subdivision and other proposed new development proposals shall have public utilities and facilities such as sewer, gas, electrical and water systems located and constructed to minimize or eliminate flood damage.
- c. All subdivision and other proposed new development proposals shall have adequate drainage provided to reduce exposure to flood hazards.
- d. In all approximate A Zones require that all new subdivision proposals and other proposed developments (including proposals for manufactured home parks and subdivisions) greater than 50 lots or 5 acres, whichever is the lesser, include within such proposals Base Flood Elevation data (See Article V, Section E).

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

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

1. Encroachments are prohibited, including earthen fill material, new construction, substantial improvements or other development within the regulatory floodway. Development may be permitted however, provided it is demonstrated through hydrologic and hydraulic analyses performed in accordance with standard engineering practices that the cumulative effect of the proposed encroachments or new development shall not result in any increase in the water surface elevation of the Base Flood Elevation, velocities, or floodway widths during the occurrence of a base flood discharge at any point within the community. A Tennessee registered professional engineer must provide supporting technical data, using the same methodologies as in the effective Flood Insurance Study for ANDERSON County, Tennessee and certification, thereof.
2. New construction and substantial improvements of buildings, where permitted, shall comply with all applicable flood hazard reduction provisions of Article V, Sections A and B.

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

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

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

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

Located within the Special Flood Hazard Areas established in Article III, Section B, where streams exist, but no base flood data has been provided and where a Floodway has not been delineated, the following provisions shall apply:

1. The Administrator shall obtain, review, and reasonably utilize any Base Flood Elevation and floodway data available from any Federal, State, or other sources, including data developed as a result of these regulations (see 2 below), as criteria for requiring that new construction, substantial improvements, or other development in approximate A Zones meet the requirements of Article V, Sections A and B.
2. Require that all new subdivision proposals and other proposed developments (including proposals for manufactured home parks and subdivisions) greater than 50 lots or 5 acres, whichever is the lesser, include within such proposals Base Flood Elevation data.
3. Within approximate A Zones, where Base Flood Elevations have not been established and where such data is not available from other sources, require the lowest floor of a building to be elevated or floodproofed to a level of at least three (3) feet above the highest adjacent grade (as defined in Article II). All applicable data including elevations or floodproofing certifications shall be recorded as set forth in Article IV, Section B. Openings sufficient to facilitate automatic equalization of hydrostatic flood forces on exterior walls shall be provided in accordance with the standards of Article V, Section B.
4. Within approximate A Zones, where Base Flood Elevations have not been established and where such data is not available from other sources, no encroachments, including structures or fill material, shall be located within an area equal to the width of the stream or twenty feet (20), whichever is greater, measured from the top of the stream bank, unless certification by a Tennessee registered professional engineer is provided demonstrating that the cumulative effect of the proposed development, when combined with all other existing and anticipated development, will not increase the water surface elevation of the base flood more than one (1) foot at any point within ANDERSON County, Tennessee. The engineering certification should be supported by technical data that conforms to standard hydraulic engineering principles.
5. New construction and substantial improvements of buildings, where permitted, shall comply with all applicable flood hazard reduction provisions of Article V, Sections A and B. Within approximate A Zones, require that those subsections of Article V Section B dealing with the alteration or relocation of a watercourse, assuring watercourse carrying capacities are maintained and manufactured homes provisions are complied with as required.

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

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

1. All new construction and substantial improvements of residential and non-residential buildings shall have the lowest floor, including basement, elevated to at least one (1) foot above as many feet as the depth number specified on the FIRM's, in feet, above the highest adjacent grade. If no flood depth number is specified on the FIRM, the lowest floor, including basement, shall be elevated to at least three (3) feet above the highest adjacent grade. Openings sufficient to facilitate automatic equalization of hydrostatic flood forces on exterior walls shall be provided in accordance with standards of Article V, Section B.
2. All new construction and substantial improvements of non-residential buildings may be floodproofed in lieu of elevation. The structure together with attendant utility and sanitary facilities must be floodproofed and designed watertight to be completely floodproofed to at least one (1) foot above the flood depth number specified on the FIRM, with walls substantially impermeable to the passage of water and with structural components having the capability of resisting hydrostatic and hydrodynamic loads and the effects of buoyancy. If no depth number is specified on the FIRM, the structure shall be floodproofed to at least three (3) feet above the highest adjacent grade. A Tennessee registered professional engineer or architect shall certify that the design and methods of construction are in accordance with accepted standards of practice for meeting the provisions of this

Resolution and shall provide such certification to the Administrator as set forth above and as required in accordance with Article IV, Section B.

3. Adequate drainage paths shall be provided around slopes to guide floodwaters around and away from proposed structures.

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

Located within the Areas of Special Flood Hazard established in Article III, Section B, are areas of the 100-year floodplain protected by a flood protection system but where Base Flood Elevations have not been determined. Within these areas (A-99 Zones) all provisions of Article IV and Article V shall apply.

Section H. Standards for Unmapped Streams

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

1. No encroachments including fill material or other development including structures shall be located within an area of at least equal to twice the width of the stream, measured from the top of each stream bank, unless certification by a Tennessee registered professional engineer is provided demonstrating that the cumulative effect of the proposed development, when combined with all other existing and anticipated development, will not increase the water surface elevation of the base flood more than one (1) foot at any point within the locality.
2. When a new flood hazard risk zone, and Base Flood Elevation and floodway data is available, new construction and substantial improvements shall meet the standards established in accordance with Articles IV and V.

ARTICLE VI. VARIANCE PROCEDURES

Section A. Regional Board of Zoning Appeals

1. Authority

The ANDERSON County, Tennessee Regional Board of Zoning Appeals shall hear and decide appeals and requests for variances from the requirements of this Resolution.

2. Procedure

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

3. Appeals: How Taken

An appeal to the Regional Board of Zoning Appeals may be taken by any person, firm or corporation aggrieved or by any governmental officer, department, or bureau affected by any decision of the Administrator based in whole or in part upon the provisions of this Resolution. Such appeal shall be taken by filing with the Regional Board of Zoning Appeals a notice of appeal, specifying the grounds thereof. In all cases where an appeal is made by a property owner or other interested party, a fee of \$25 (twenty-five) dollars for the cost of publishing a notice of such hearings shall be paid by the appellant. The Administrator shall transmit to the Regional Board of Zoning Appeals all papers constituting the record upon which the appeal action was taken. The Regional Board of Zoning Appeals shall fix a reasonable time for the hearing of the appeal, give public notice thereof, as well as due notice to parties in interest and decide the same within a reasonable time which shall not be more than 60 (sixty) days from the date of the hearing. At the hearing, any person or party may appear and be heard in person or by agent or by attorney.

4. Powers

The Regional Board of Zoning Appeals shall have the following powers:

a. Administrative Review

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

b. Variance Procedures

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

- 1) The ANDERSON County, Tennessee Regional Board of Zoning Appeals shall hear and decide appeals and requests for variances from the requirements of this Resolution.
- 2) Variances may be issued for the repair or rehabilitation of historic structures as defined, herein, upon a determination that the proposed repair or rehabilitation will not preclude the structure's continued designation as a historic structure and the variance is the minimum necessary deviation from the requirements of this Resolution to preserve the historic character and design of the structure.
- 3) In passing upon such applications, the Regional Board of Zoning Appeals shall consider all technical evaluations, all relevant factors, all standards specified in other sections of this Resolution, and:
 - a) The danger that materials may be swept onto other property to the injury of others;
 - b) The danger to life and property due to flooding or erosion;
 - c) The susceptibility of the proposed facility and its contents to flood damage;
 - d) The importance of the services provided by the proposed facility to the community;
 - e) The necessity of the facility to a waterfront location, in the case of a functionally dependent use;
 - f) The availability of alternative locations, not subject to flooding or erosion damage, for the proposed use;
 - g) The relationship of the proposed use to the comprehensive plan and floodplain management program for that area;
 - h) The safety of access to the property in times of flood for ordinary and emergency vehicles;
 - i) The expected heights, velocity, duration, rate of rise and sediment transport of the flood waters and the effects of wave action, if applicable, expected at the site;
 - j) The costs of providing governmental services during and after flood conditions including maintenance and repair of public utilities and facilities such as sewer, gas, electrical, water systems, and streets and bridges.
- 4) Upon consideration of the factors listed above, and the purposes of this Resolution, the Regional Board of Zoning Appeals may attach such conditions to the granting of variances, as it deems necessary to effectuate the purposes of this Resolution.
- 5) Variances shall not be issued within any designated floodway if any increase in flood levels during the base flood discharge would result.

Section B. Conditions for Variances

1. Variances shall be issued upon a determination that the variance is the minimum relief necessary, considering the flood hazard and the factors listed in Article VI, Section A.
2. Variances shall only be issued upon: a showing of good and sufficient cause, a determination that failure to grant the variance would result in exceptional hardship; or a determination that the granting of a variance will not result in increased flood heights, additional threats to public safety, extraordinary public expense, create nuisance, cause fraud on or victimization of the public, or conflict with existing local laws or Resolutions.
3. Any applicant to whom a variance is granted shall be given written notice that the issuance of a variance to construct a structure below the Base Flood Elevation will result in increased premium rates for flood insurance (as high as \$25 for \$100) coverage, and that such construction below the Base Flood Elevation increases risks to life and property.
4. The Administrator shall maintain the records of all appeal actions and report any variances to FEMA upon request.

ARTICLE VII. LEGAL STATUS PROVISIONS

Section A. Conflict with Other Resolutions

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

Section B. Severability

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

Section C. Effective Date

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

Approved and adopted by the ANDERSON County, Tennessee, Mayor and Legislative Body.

Date _____

1-17-12

Date _____
Myron Swanski

Mayor of ANDERSON County, Tennessee

Attest:

County Clerk

County Clerk



Date of Public Hearing

16. Commissioner Biloski moved to approve recommendation from the Operations Committee the renaming and location of the 2 current Juvenile Court assigned parking spaces for security reasons. Seconded by Commissioner Mead. Motion carried by voice vote. NO: Creasey and Wandell.

New Business

17. Commissioner McKamey moved to accept resolution requesting that the General Assembly Repeal T.C.A. §33-7-304 Public Chapter 531 Section 45 and to require the State of Tennessee to continue to be financially responsible for outpatient and inpatient mental health evaluations and treatment for individuals charged with misdemeanor offenses only. Seconded by Commissioner Wandell. Motion carried by voice vote.

**Anderson County, Tennessee
Board of Commissioners**

RESOLUTION NO. 12-424

A RESOLUTION REQUESTING THAT THE GENERAL ASSEMBLY REPEAL T.C.A. § 33-7-304 PUBLIC CHAPTER 531 SECTION 45 AND TO REQUIRE THE STATE OF TENNESSEE TO CONTINUE TO BE FINANCIALLY RESPONSIBLE FOR OUTPATIENT AND INPATIENT MENTAL HEALTH EVALUATIONS AND TREATMENT FOR INDIVIDUALS CHARGED WITH MISDEMEANOR OFFENSES ONLY

WHEREAS, on June 26, 2009, Governor Phil Bredesen signed into law new legislation making counties responsible for the cost of outpatient and inpatient mental health evaluations and treatments for defendants charged only with misdemeanors and court ordered to undergo said evaluations (See T.C.A. § 33-7-304, Public Chapter 531 Section 45.); and

WHEREAS, before the adoption of T.C.A. § 33-7-304, Public Chapter 531 Section 45 the State of Tennessee paid all cost and expenses for outpatient and inpatient mental health evaluations and treatment ordered by the court for defendants charged with both misdemeanors and felonies; and

WHEREAS, this unfunded mandate transferred the cost of outpatient and inpatient mental health evaluations and treatments for criminal defendants charged only with misdemeanors from the State of Tennessee to the individual counties and has already resulted in serious financial ramifications for Anderson County and other Tennessee Counties with the potential for untold cost in the future; and

WHEREAS, after receiving bills for mental health evaluations at state mental health facilities for two defendants charged with misdemeanor offense from the Department of Mental Health and Developmental Disabilities of approximately \$20,000.00, the Anderson County Legislative Body voted to request that the State Legislators representing Anderson County sponsor legislation to repeal "T.C.A. § 33-7-304, Public Chapter 531 Section 45" and again require the State of Tennessee to absorb or pay state mental health facilities and agencies who perform court ordered mental evaluations and treatment for criminal defendants charged with misdemeanors; and


WHEREAS, the Anderson County Legislative Body further directed the County Mayor, and the County Clerk to forward a copy of the Resolution asking for the repeal of "T.C.A. § 33-7-304, Public Chapter 531 Section 45" to each of the remaining ninety-four (94) counties requesting their assistance and support in seeking the repeal of "T.C.A. § 33-7-304, Public Chapter 531 Section 45"

NOW THEREFORE, BE IT RESOLVED, by the Anderson County Legislative Body meeting in a day session on the 17th day of January, 2012, a quorum being present, unanimously approved this Resolution requesting that our State Senator and State Representatives representing Anderson County in the General Assembly sponsor legislation to repeal "T.C.A. § 33-7-304, Public Chapter 531 Section 45," which requires counties to pay for court ordered mental health evaluations and treatment for defendants charged with misdemeanors and that the State of Tennessee through its mental health facilities and agencies provide at no cost to the counties of the State of Tennessee court ordered mental health evaluations and treatment of all defendants including those charged with misdemeanors.


BE IT FURTHER RESOLVED that the County Mayor and County Clerk forward a copy of this Resolution the remaining ninety-four (94) counties in the State of Tennessee asking for their assistance and support seeking repeal of "T.C.A. § 33-7-304, Public Chapter 531 Section 45" requiring counties to pay all costs for mental health evaluations and treatments for defendants charged with misdemeanor offenses.


Chuck Fritts, County Commission Chair




Myron Iwanski, County Mayor

ATTEST:


Jeff Cole, County Clerk

18. Commissioner Irwin moved to accept resolution to ask legislative delegation to make the sale of synthetic drugs a felony and request support by surrounding counties. Seconded by Commissioner Biloski. Motion carried by voice vote.

Anderson County, Tennessee
Board of Commissioners

RESOLUTION NO. 12-423

**A RESOLUTION TO REQUEST THE TENNESSEE GENERAL ASSEMBLY TO
MAKE THE SALE OF SYNTHETIC DRUGS A FELONY AND REQUEST
SUPPORT BY SURROUNDING COUNTIES**

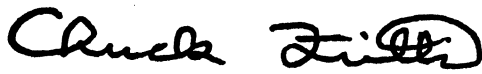
WHEREAS, synthetic marijuana and designer stimulants have created a public health problem in Anderson County as witnessed by Anderson County Emergency Medical Services, the Methodist Medical Center Emergency Room, the Anderson County Drug Court Program, the Clinton City Police Department and the Anderson County Sheriff's Department; and

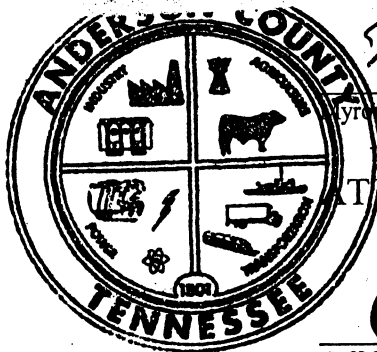
WHEREAS, during recent raids conducted by the Tennessee Bureau of Investigation and local Sheriff's Departments throughout the Tennessee counties, numerous convenience stores across the state as well as in Anderson County, Tennessee were found to selling synthetic marijuana and designer stimulants for up to \$30 per package; and

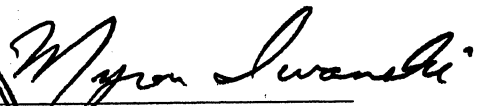
WHEREAS, currently in the State of Tennessee some of these products are being sold legally while some are covered under current legislation making them illegal but is a misdemeanor charge.

NOW THEREFORE, BE IT RESOLVED by the Anderson County Board of Commissioners meeting in a day session on the 17th day of January, 2012, that the Anderson County legislative delegation be asked to write and pass comprehensive legislation to make the manufacturing, distribution and selling of synthetic drugs a felony in the State of Tennessee.


BE IT FURTHER RESOLVED, that the County Clerk send a copy of this Resolution to all counties in the State of Tennessee asking for a similar Resolution to their legislative delegation in support of said legislation for the betterment of all Tennessee.


Chuck Fritts, County Commission Chair




Myron Iwanicki, County Mayor

ATTEST:

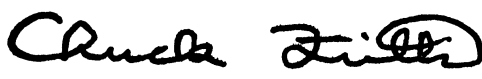

Jeff Cole, County Clerk


19. Commissioner McKamey moved to ask the County Law Director to look into contacting Nashville Legislation about titling boats and trailers. Seconded by Commissioner Meredith.

Voting Aye: Creasey, Fritts, McKamey, Meredith, Patrick, Shuey and Wandell.
NO: Alderson, Alley, Bates, Biloski, Irwin, Isbel, Mead and White. Absent: Hitchcock. Motion failed.

"Executive Session"

20. Commissioner Creasey moved to adjourn. Seconded by Commissioner Meredith. Motion carried by voice vote.


Chuck Fritts, Chairman
County Commission


Jeff Cole
County Clerk