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# Private Acts of 1989 Chapter 122

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Sincerely,

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## Private Acts of 1989 Chapter 122

**SECTION 1.** Chapter 609 of Private Acts of the Private Acts of 1951, relative to the county highway commission in Putnam County, as amended by Chapter 166 of the Private acts of 1961, as amended by Chapter 111, of the Private Acts of 1965, as amended by Chapter 364, of Private Acts of 1968, as amended by Chapter 165 of the Private Acts of 1974, as amended by Chapter 126 of the Private Acts of 1979, as amended by Chapter 48, of the Private Acts of 1987, as amended by Chapter 40, of the Private Acts of 1989, and all other acts amendatory thereto, is hereby repealed.

**SECTION 2.** In Putnam County the building, upkeep and maintenance of all public roads which fall under the supervision and authority of such county, as distinguished from those roads which are built and maintained by the State or Federal Government, or both, shall be known as county roads.

**SECTION 3.** In Putnam County there is hereby created the office of county road supervisor, which office shall be filled by a resident citizen of said county. The county road supervisor shall be elected by the qualified voters of Putnam County at the regular election to be held in said county in August, 1990, said county road supervisor shall be elected for a term of four (4) years and the person so elected shall take over and perform the duties of said office in september 1, 1990. His successor shall be elected by the qualified voters in the regular August election each four (4) years thereafter and shall take office the first day of September next following his election. Provided, however, that no member of the county legislative body of Putnam County shall be eligible for the office of the county road supervisor. Before assuming the duties of said office, the person so elected shall be required to make an indemnity bond, the cost of which shall be paid from the county road fund and such bond shall be in the amount fixed by the general law of this state, under Tennessee Code Annotated, Section 54-4-103, and made with some solvent bonding company authorized to do business in Tennessee, payable to the State of Tennessee for the use and benefit of Putnam County and conditioned that said county road supervisor will faithfully and honestly perform the duties of his office. The county road supervisor may be removed from his office as other public officials are removed from office. In case of vacancy in the office of the county road supervisor, and occurring while the county legislative body of Putnam County is not in session, the same shall be filled by appointment made by the county judge, to hold until the next meeting of the county legislative body of Putnam County when the vacancy will be filled by said county legislative body until next the regular August election.

**SECTION 4.** The compensation of the county road supervisor shall be established as provided in the County Uniform Highway Law, Tennessee Code Annotated, Section 54-7-106.

**SECTION 5.** The county road supervisor shall have general supervision of all common and graded macadamized roads in the county, other than the state and federal highways and other than private roads. The county road supervisor shall have full power to hire and fire men employed to do work. He shall fix their wages which shall be in accordance with the prevailing wage scale for like work in the community where their work is performed. The said county road supervisor shall devote his entire working time to the duties of his office which may be increased or diminished from time to time. In the event the county needs his services in connection with other road construction not directly under his supervision, he must make himself available. He shall maintain his office at the county garage.

The county road supervisor is vested with full power and authority in all matters pertaining to the laying out, working, building, maintaining and improving and otherwise looking after the roads, bridges and culverts within the county road system. He shall be the custodian of all road supplies, tools, implements, equipment, machinery and material of all kinds belonging to the county to be used in connection with the construction, maintenance and improvement of the county road system.

It shall be the duty of the county road supervisor to prepare or cause to be prepared a complete inventory of all property which may be under his jurisdiction and control at the beginning of each new term of office, and on June 30th of each calendar year thereafter, showing original cost of equipment and supplies, when and where purchased, amount of depreciation taken the date of inventory, a copy of which will be furnished to the secretary of the county legislative body of Putnam County for permanent filing in its records. Said county road supervisor shall prepare all payrolls, showing the number of hours, days, weeks or months worked, rate of pay per hour, day, week or month, with total amount due to be paid, and shall prepare a list of bills owed and to whom to be paid, purpose and amount, with the total amount of bills to be paid, with a copy of which shall be filed with the secretary of the county legislative body of Putnam County. All inventories, payrolls, and bills to be paid must be signed by the supervisor.

The county road supervisor shall have the authority to appoint a bookkeeper, prescribe his or her duties, fix his or her compensation to be paid from the county road fund with the approval of the county legislative body of Putnam County, and who shall serve at the pleasure of the county road supervisor.

Said bookkeeper shall keep the records required to be kept in the office of the county road supervisor and shall work in the office of said county road supervisor and shall perform any and all other duties consistent with said office that may be requested from time to time by said county road supervisor; provided, however, that no member of the county legislative body of Putnam County shall be eligible for the office of bookkeeper.

**SECTION 6.** The county road supervisor is authorized and empowered to purchase gasoline, oil, tires, trucks and all other necessary road supplies and equipment. No expenditures in excess of two thousand five hundred dollars (\$2,500) shall be made until the same is publicly advertised and competitively bid in accordance with the provisions of the County Uniform Highway Law, Tennessee Code Annotated, Section 54-7-113. The county road supervisor shall not expend or obligate funds in excess of the funds received or receivable from all sources during the fiscal year. All disbursement warrants for obligations of the county highway department shall be signed by the county road supervisor.

**SECTION 7.** The county road supervisor is hereby vested with full power and authority as to all matters pertaining to the opening, closing and changing of all county roads. Said county road supervisor may from time to time hold public hearings. Before each hearing is held, the county road supervisor shall place a general notice of such hearing in a newspaper of general circulation in Putnam County at least seven (7) days prior to the date of said hearing. At such hearing, the county road supervisor shall hear from an interested party who shall make his views known by petition in regard to any matter pertaining to the opening of a new road, the closing of an existing road, or any such business as comes under the jurisdiction of the county road supervisor as provided within this act. The county road supervisor shall take whatever action on said petition he deems advisable within ten (10) days from the date thereof.

**SECTION 8.** The county road supervisor, before assuming the duties of his office, shall subscribe to an oath as other county officials subscribe.

**SECTION 9.** If any provision of this act or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of this act which can be given effect without the invalid provision or application, and to that end the provisions of this act are declared to be severable.

**SECTION 10.** All acts and parts of acts in conflict with this act and all special road legislation heretofore enacted for said county, and the same, are hereby repealed.

**SECTION 11.** This act shall have no effect unless it is approved by a two-thirds (2/3) vote of the county legislative body of Putnam County. Its approval or nonapproval shall be proclaimed by the presiding officer of the county legislative body of Putnam County and certified by him to the Secretary of State.

**SECTION 12.** For the purpose of approving or rejecting the provisions of this act, it shall be effective upon becoming a law, the public welfare requiring it. For all other purposes, it shall become effective upon being approved as provided in Section 11. Provided, however, nothing herein shall be construed to abridge the term of any member of the existing Putnam County highway commission until there is a vacancy in such office or until the next regular scheduled election.

Passed: May 25, 1989.

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