

RESOLUTION NO. 4236

A RESOLUTION ADOPTING A REVISED PROGRAM FOR PUBLIC INFORMATION PERTAINING TO THE MILES CITY FLOODPLAIN AND FLOODWAY.

WHEREAS, a substantial portion of the City of Miles City, Montana is located within the flood plain and flood way;

AND WHEREAS, a discount is applied to the flood insurance premium amounts which are paid by property owners with the City of Miles City based on the City's "Community Rating System" (CRS) score;

AND WHEREAS, the City of Miles City previously adopted a Program for Public Information (PPI) with Resolutions No. 3618, 3635, and 3988, which is in compliance with FEMA requirements can be used to improve the City's CRS score, and the City desires to update said PPI;

AND WHEREAS, the PPI Committee has prepared a revised PPI document for the consideration of the City Council, and the City Council finds the adoption of the revised PPI document and the implementation of the program to be in the best interests of the City of Miles City, Montana;


NOW THEREFORE, IT IS RESOLVED BY THE CITY COUNCIL OF THE CITY OF MILES CITY, MONTANA AS FOLLOWS:

1. The revised City of Miles City Program for Public Information, attached hereto as Exhibit "A" and by this reference incorporated herein, is hereby approved and adopted, and the PPI Committee is hereby empowered to implement said program and to undertake the activities called for therein.

SAID RESOLUTION FINALLY PASSED AND ADOPTED BY A DULY CONSTITUTED QUORUM OF THE CITY COUNCIL OF THE CITY OF MILES CITY, MONTANA, THIS 26TH DAY OF FEBRUARY, 2019.


John Hollowell, Mayor

ATTEST:


Lorrie Pearce, City Clerk

City of Miles City, Montana

Program for Public Information (PPI)

Background

The City of Miles City has been developing educational and outreach projects with input and support from local volunteers and city staff, by the use of creative and innovative ideas and tools. With the floodplain situation that currently plagues the city an official outreach program was created to educate, prepare, and aid residents on flood and storm water protection.

The City of Miles City became part of the Community Rating System (CRS) on October 1, 1991 and has worked on educating the citizens of Miles City concerning flood and storm water protection. With the new Digital Flood Insurance Rate Maps (DFIRMs) that took effect in August of 2010, approximately 79% of the town was placed in the floodplain. This caused the City to look into a more innovative way to notify and empower the citizens with knowledge on floodplain management and insurance practices. The CRS proposed a new planning tool, the Program for Public Information (PPI), which will prove to be a vast benefit to the City.

The CRS is a part of the National Flood Insurance Program (NFIP). It provides reductions to flood insurance premiums in participating communities. The reductions are based on community floodplain management programs, outreach projects, and public information. To keep these flood insurance premium reductions, communities must continue to implement their programs and provide status reports to the NFIP each year.

When the PPI was formed Miles City was at a CRS Class 9, which gave residents and business up to a 5% discount on their premiums.

The City chose to develop a PPI to help achieve a lower Class rating and higher discounts to flood insurance premiums through coordinated outreach efforts by city personal, elected officials, and stakeholders within the community. The PPI was adopted by Council September 10, 2013 by Resolution 3635.

PPI Committee

The City had been visiting with stakeholder organizations to spread awareness about this educational program. This is a group created of busy professionals and leaders of the community; the time chosen to meet was noon in the City Hall conference room.

At a minimum there must be at least five stakeholders on the committee with an addition, of at least one councilperson, one insurance agent, one real estate agent, one lender, and a Certified Floodplain Manager (CFM). Stakeholders must make up the majority of the committee with at least 50% of the members being non-city employees or stakeholders from within the community.

Members will be recommended by committee members as soon as reasonable when a vacancy is created by a resignation. Applicants will be approved by all members of the PPI Committee. Members shall be allowed to stay on the Committee until they choose to resign, the Committee

Exhibit A

may unanimously chose to remove a member due to conduct not pursuant to the Program for Public Information, or the Committee requests replacement of any member engaging in misconduct as defined in Appendix E (MCA 2-2-105).

The PPI committee members include multiple stakeholders, one CFM from the City, the City Public Works Director, one City Councilperson, and one County Commissioner:

- Dannette Cremer - WA Mitchell Agency (Insurance)
- Katy Cain – Miles City Insurance (Insurance)
- Matt Korell – Farm Bureau Financial Services (Insurance)
- Marcy Parks – Stockman Insurance (Insurance)
- Krista Stubblefield - First Interstate Bank (Lender)
- Lori Backes - First Interstate Bank (Lender)
- Paula Kurkowski - Stockman Bank (Lender)
- Carol Hardesty-Hardesty Real Estate (Realtor)
- Dawn Leidholt – Hardesty Real Estate (Realtor)
- Echo Venn – Dave Smith Reality (Realtor)
- Robbin Makelky – Integrity Realty (Realtor)
- Jeff Erlenbush – City Councilperson
- Jason Strouf – County Commissioner
- Scott Gray – Public Works
- Samantha Malenovsky – CFM, Floodplain Administrator

The first Committee meeting lasted one hour, during the meeting the members discussed what we plan to accomplish with the PPI and what avenues need to be addressed within the community. The members had some great suggestions regarding the fate of Miles City with insurance and the assessment study being the main focus. Overall the committee agreed that this is a community wide problem, not a floodplain/no floodplain problem.

Since this was the first meeting, the committee agreed an aggressive campaign needs to happen and the following should be followed:

- Activities should be organized and recorded. Including meetings and all correspondence.
 - The Floodplain Administrator will secure all minutes and correspondence.
- Have stakeholders relieve messages they receive from the public and take comments and advice from stakeholders on ways to improve the program. An annual meeting will be held to get input from members and non-members, and produce an end of the year report.

- Start to work with outside organizations on projects, to better improve the way information is handled and reported to the public.
- Any outreach projects done by committee members are productive and should be considered projects and be recorded.
- Use committee members, they reach the public on a daily basis. The more the members are informed and educated on flood issues the better the public will receive new information on flood issues.

This PPI document is being assembled by staff and the committee members are asked to review the plan and to e-mail their comments. After any discussion, revisions or changes the document will be submitted to the City Council for adoption.

Community Needs Assessment

Miles City is located in Eastern Montana, and is primarily made up of residential structures with the majority of businesses being located along the two main highways that run through downtown.

Miles City has 8,410 residents since the 2010 census report. Most structures are located on basements or crawlspaces, which makes them vulnerable to flood damage from ground water, shallow flooding and drainage problems.

Flood Hazards: Miles City is situated with the Tongue River on the West end then running into the Yellowstone River, which runs to the north. Miles City is a fairly flat area, storm drains become inundated with heavy rainfall causing streets to flood for a small amount of time.

Since Miles City is a community that is mainly floodplain, the committee decided to include the entire community in floodplain issues. A major flood could cause serious devastation to the City and residents.

Flood Insurance Data: Flood insurance is required as a condition of Federal aid, a mortgage, or loan that is federally insured for a building, located in a high hazard A Zone. There are currently 239 policies in the Special Flood Hazard Area (SFHA), 736 Standard/Preferred B, C & X Zone policies, totaling 975 Flood insurance policies in place as of November 30, 2018. Miles City has the most flood insurance policies in the State of Montana.

The DFIRMs that took effect in 2010 only outlines AE Zones, the above policies are based off of either A Zones, which were always A Zones, or Newly Mapped properties which were originally in Zone B or X and remapped in 2010 to become Zone AE. Currently Miles City only has Zone AE or Zone X.

A flood insurance general assessment will be done on Miles City, with the summary attached, Appendix B. This summary will be updated yearly with information provided to council for review. This information will also be available for public review when requested.

Social and Economic Needs: The City of Miles City has a variety of religions, education levels, and age ranges. Approximately 48% of the population is considered lower income. As of January 2019 Miles City has approximately 77.39% of its properties in the floodplain with 5.5% of those properties in the floodway.

The Committee is making sure to cover all these barriers and make sure that the right message, tools, and resources will be communicated to each target audience. The committee has noticed that messages will need to be repeated and distributed in different forms, coming from different sources.

Target Audiences (Refer to Appendix A for target audiences, messages, and desired outcomes)

Target Areas: The PPI Committee decided on two target areas that should be reached. Projects are to be directed to all properties (residential, commercial, industrial, and public) in these two main areas:

Target Audience #1: The entire City of Miles City: With approx. 78% of the town being in the floodplain, we have realized that this is a problem the whole community faces. Even if you live outside of the floodplain, the businesses would be closed and work would slow down to a halt since so many structures would be affected or surrounded by the floodwaters.

Target Audience #2: Structures that were in Zone B on the 1983 map and are now Zone AE in the 2010 map: In 1983 approx. 30% of the town was in an A Zone, after adopting the 2010 DFIRMs an extra 50% of the town was included. At the time, Miles City had no floodway and Zone B was not regulated by the City.

Other Target Audiences: Other groups were identified by the committee as groups of people who needed special messages on flood protection (these groups may change throughout the course of the PPI Committee and extra groups may be added):

Target Audience #3: Floodway residents: These residents are extremely restricted with the regulations and have the highest chances of dealing with high velocity, deep flood waters.

Target Audience #4: Builders: Building contractors need to know the construction rules, post-disaster repair rules, and possible mitigation grants that could help their customers protect their homes from flooding.

Target Audience #5: Real estate, lending and insurance companies: These companies are key to conveying information about flood hazards and flood insurance. The Committee wants to make sure that they understand and have all the tools they need.

Other Public Information Efforts

Miles City has recently been looking at additional public outreach programs to use to help get information out in regards to floodplain management. Currently a few key public information activities that are reaching the public for information:

- Flood Awareness, gives information that covers insurance, regulations, and general questions. Once a year
- Articles in newspaper informing citizens who to contact in regards to a floodplain permit. Once a year
- Hold meetings with local Civic groups. As needed.
- Various press releases regarding numerous floodplain topics. As Needed
- Website covering several floodplain topics. Updated as needed.
Website will contain the local ordinance, links to FloodSmart, USACE, AMFM, DNRC, and FEMA
- Radio announcement covering various floodplain topics.
- Letter to real estate, lenders and insurance agents that notifies them that the city provides a map determination service. Once a year
- Letter to critical facilities, as referred to in the Multi-Hazard Mitigation Plan, which are located within the floodplain. Once a year
- Real Estate agents should notify property buyers about floodplain determination and flood hazards. The majority of Real Estate agents will give property buyers a copy of Flood Hazards and how it may affect their purchase. These must be signed by property owners to show they have read and understand the hazard. (Appendix C)
- When a floodplain application is approved, the property owner will read and sign the Insurance Implications sheet which explains the flood insurance implication that maybe faced if regulations are not followed. (Appendix D)
- The Floodplain Administrator will provide flood protection advice and assistance to applicants and citizens on a one-on-one basis. This service will be publicized yearly at the annual flood awareness day. Conduct site visits for all floodplain applications submitted and work with the property owner to ensure that the correct regulations are being followed.
- The Floodplain Administer will do monthly visits to all active floodplain projects to confirm that construction is happening correctly and will note any inconsistency that are

notice and notify the property owner as soon as possible. The property owner may also request a site visit at any time.

Messages and Outcomes

The following Messages and Outcomes are set as priorities.

Table 1: Messages and Desired Outcomes		
Message	Outcome	Related CRS topics
1. Know your flood risk	More map inquiries	1. Know your flood hazard
2. You need flood Insurance	Increase in number of flood policies	2. Insure your property for your flood hazard
3. All construction projects must meet flood and water quality rules.	Reduce number of citations.	3. Build flood smart.
4. Know flood building requirements.	Reduce number of citations.	4. Educate contractors
5. Everyone can buy flood insurance	Increase number of flood policies in Zone X	5. Flood insurance available to everyone
6. Turn around, don't drown	Fewer people getting stuck at underpass, Educate on flood water and effects.	6. Protecting people from flooding.
7. Only rain goes down the drain	Educate people on water quality	7. Protect water quality
8. You can protect your house from flooding	Increased number of inquiries on mitigation actions.	8. Incorporate low cost flooding protection measures and mitigation.
9. Avoid contact with rivers after it rains or during ice season.	Educate people on ice jams and high water.	9. Educate public on water safety.
10. 'Talking Point' document for insurance agents, real estate agents, and lender.	Smoother transition of information between agencies	10.

Projects and Initiatives

Certain projects and initiatives were chosen by the PPI Committee to be implemented. These projects and initiatives will be reviewed yearly and can change as situations, and objectives of the committee change. The spreadsheet is located at the end of this document.

Flood Response Preparations

The PPI Committee recommends projects that will be implemented during and after a flood. Documentation will be drafted and made ready for reproduction and disseminations after a flood warning is issued. These will be reviewed and updated every year.

Follow Up

The City of Miles City will monitor the projects as they develop, along with organizations that have volunteered to help, and will report on the results. The City will record all input from the PPI Committee and suggestions from other employees, elected officials, stakeholders participating in the activities, and concerned citizens. This will be available to all committee members at every meeting for consideration.

The PPI committee will meet at a minimum of every six months to review each objective and the desired outcomes. The committee will recommend to the appropriate City offices and the stakeholders who implement projects, whether the projects should be changed or discontinued.

There must be an end of the year meeting that will review current objects and how they are working within the community. Once a year the PPI committee will review the spreadsheet and make comments. The committee will decide whether to change, add, or approve each individual activity. All outcomes and revisions will be submitted as part of the City's annual recertification package to the CRS.

After the annual report is completed by the PPI Committee the report and any other changes will be submitted to Council by way of email and/or place in their city hall box. The Floodplain Administrator shall annually update the Council concerning the PPI including the annual report and the general flood insurance assessment document.

Adoption

This document will become effective when it is adopted by the City Council, if it is revised it will need to go before City Council for amendment.

APPENDIX A

Exhibit A

Target Audience	Message(s) (See table 1)	Outcome	Project(s)	Assignment	Schedule	Stakeholder
Entire City of Miles City	1. Know your flood risk.	More map inquiries, Educate on flood water and effects.	Mailing sent to each resident	Floodplain Administrator (FPA)	Yearly	
	6. Turn around, don't drown		Social media outlets	Realtors, lenders, insurance agents (Agents)	Quarterly	
			<i>Miles City Star</i> articles	FPA	Yearly	
		Local Real Estate Agents post on all listing if property is located within the floodway/flood fringe	Local Real Estate Agents post on all listing if property is located within the floodway/flood fringe	Realtors	Year-round as part of a regular service	Eastern Montana Realtors Board (EMRB)
	2. You need flood insurance		Brochures available at Real Estate, Insurance, and Lenders offices for information regarding flood hazards.	Agents	Year-round as part of a regular service	
	5. Everyone can buy flood insurance.		Social media outlets	Agents	Quarterly	EMRB, local banks, insurance agents
			FEMA brochures on flood insurance	Agents	Year-round as part of a regular service	
		Reduce number of citations	Local insurance agents, lenders, realtors advise their clients of the effects of flood insurance	Agents	Year-round as part of a regular service	
	3. All construction projects must meet flood and waste quality rules.		Hand out on message to local civic groups and meetings, Miles City website	FPA	Yearly	
	4. Know flood building regulations		Social media outlets	Agents	Quarterly	
		Protect water quality	Permit handout	FPA	Year-round	
	7. Only rain goes down the drain		<i>Miles City Star</i> articles	Public Works Department	Yearly	
			Storm sewer engraving	Public Works Department	Per project	

Exhibit A

			Presentation at annual outreach on protecting waterways	FPA	Yearly
Entire City of Miles City	8. You can protect your house from flooding	Increased number of inquiries on mitigation actions	Guidebook	FPA	Year-round
			Social media outlets	Agents	Quarterly
	9. Avoid contact with rivers during ice events or high water	Educate people on ice jams and high water and effects.	Link to Floodsmart.org on website	Webmaster	Year-round
			Miles City Star articles	FPA	Yearly
			Use Nexel to communicate warnings to public.	Dispatch	During events.
			Education during Flood Awareness Day	FPA	Yearly

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Target Audience	Message(s) (See table 1)	Outcome	Project(s)	Assignment	Schedule	Stakeholder
Structures that were in Zone B now Zone AE	1. Know your flood risk	More map inquiries	Mailing sent to each resident	FPA	Yearly	
			<i>Miles City Star</i> articles	FPA	Yearly	
			Local Real Estate Agents post on all listing if property is located within the floodway	Realtors	Year-round	Eastern Montana Realtors Board
	2. You need flood insurance	Increase in number of flood policies	Brochures available at Real Estate, Insurance, and Lenders offices for information regarding flood hazards.	Agents	Year-round	
	5. Everyone can buy flood insurance.	Increase policies in Zone X.	FEMA brochures on flood insurance	Agents	Year-round	EMRB, local banks and insurance agents
			Local insurance agents, lenders, realtors advise their clients of the effects of flood insurance	Agents	Year-round	
	4. Know flood building requirements	Reduce number of citations	Hand out on message, Miles City website	FPA, Webmaster	Year-round	
			Permit handout	FPA	Year-round	

Exhibit A

Target Audience	Message(s) (See table 1)	Outcome	Project(s)	Assignment	Schedule	Stakeholder
Floodway Residents	1. Know your flood risk. 6. Turn around, don't drown	More number of flood policies, Increase number of flood policies in Zone X.	Mailing sent to each resident	FPA	Year-round	
			<i>Miles City Star</i> articles	FPA	Year-round	
	2. You need flood insurance 5. Everyone can buy flood insurance.	Increase in number of flood policies Increase policies in Zone X.	Local Real Estate Agents post on all listing if property is located within the floodway	Realtors	Year-round	Eastern Montana Realtors Board
			Brochures available at Real Estate, Insurance, and Lenders offices for information regarding flood hazards.	Agents	Year-round	
			FEMA brochures on flood insurance	Agents	Year-round	EMRB, local banks and insurance agents
	3. All construction projects must meet flood and waste quality rules. 4. Know flood building requirements	Reduce number of citations	Local insurance agents, lenders, realtors advise their clients of the effects of flood insurance	Agents	Year-round	
			Hand out on message to local civic groups, Miles City website	Floodplain manager & public info officer	Year-round	
			Permit handout	Floodplain manager & public info officer	Year-round	
	8. You can protect your house from flooding	Increase number of inquiries on mitigation actions	Guidebook	Floodplain manager & public info officer	Year-round	
			Link to Floodsmart.org on website	Webmaster	Year-round	

Exhibit A

Target Audience	Message(s) (See table 1)	Outcome	Project(s)	Assignment	Schedule	Stakeholder
Building Contractors	3. All construction projects must meet flood and waste quality rules. 4. Know flood building requirements	Reduce number of citations	Hand out on message, Miles City website	Floodplain manager & public info officer	Year-round as part of a regular service	
			Permit handout	Floodplain manager & public info officer	Year-round	

Exhibit A

Target Audience	Message(s) (See table 1)	Outcome	Project(s)	Assignment	Schedule	Stakeholder
Real Estate, Lending, and Insurance Companies	2. You need flood insurance	Increase in number of flood policies	Local Real Estate Agents post on all listing if property is located within the floodway	Realtors	Year-round	Eastern Montana Realtors Board
			Brochures available at Real Estate, Insurance, and Lenders offices for information regarding flood hazards.	Agents	Year-round	EMRB, local banks and insurance agents
			Social media outlets	Agents	Quarterly	
	5. Everyone can buy flood insurance.	Increase policies in Zone X.	FEMA brochures on flood insurance	Agents	Year-round	
			Local insurance agents, lenders, realtors advise their clients of the effects of flood insurance	Agents	Year-round	
	10. 'Talking Point' document for insurance agents, real estate agents, and lenders	Smoother transition of information between agencies	Document available for all Real estate agents, lender, and insurance agents	Agents	Reviewed yearly	EMRB, local banks and insurance agents

APPENDIX B

Exhibit A

City

Properties in Flood Fringe	2463
Properties in Floodway (excluding flood fringe)	212
Properties out of floodplain	872
 Total LOMR's	309
for partial properties	22
Structures	138
whole properties	141
 LOMR-F-S	6
LOMR-F-Partial property	2
 Total Structures in SFHA including LOMA	2984
 % Total Structures in Floodway	5.50%
 Total Structures in SFHA including LOMA's (for regulation purposes)	77.39%

Old Floodplain 100-yr	1170
500-year	2216
 % Total Structures in Old 100-yr	30.34%
 % of Total Structures in Old 500-year	57.47%

Total Area in SFHA	1370	Acres
Total Area in Floodway	152.69	Acres
Total Area in Miles City	2144	Acres

% of total area in Floodway	7.12%
% of total area in SFHA	63.90%

Single Family Homes in Flood Fringe	2043
Single Family Homes in Floodway	180
 Single Family Home out of SFHA	830

2-4 Family Homes in Flood Fringe	97
2-4 Family Homes in Floodway	0
2-4 Family Homes out of SFHA	24

Other Residential in Flood Fringe	47
Other Residential in Floodway	1
Other Residential out of SFHA	40

Non-Residential in Flood Fringe	187
Non-Residential in Floodway	5
Non-Residential out of SFHA	228

Accessory Structures in Flood Fringe	55
Accessory Structures in Floodway	12
Accessory Structures out of SFHA	20

Vacant Property	57
Vacant Property in Floodway	14

% of Single Homes in SFHA	72.18%
% of 2-4 Family Homes in SFHA	80.17%
% of Other Residential in SFHA	54.55%
% of Non-Residential in SFHA	45.71%
% of Accessory Structures in SFHA	77.01%

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Flood Zone	# of Bldgs. In SFHA	# of bldgs. in SFHA with coverage	% of Bldgs. Covered	Premium (\$)	Insurance in Force (\$)
Single Family	2223	916	41.21%	504,123	135,591,400
2-4 Family	121	29	23.97%	12,128	4,161,700
All other Residential	88	6	6.82%	4,130	794,000
Non-Residential	192	24	12.50%	33,472	3,895,100
Total	2624	975	37.16%	553,853	144,442,200

APPENDIX C

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(Put the name of the company on top)

Flood Hazard: Check Before You Buy

Most everyone knows that flooding occurs various ways such as: ice jams blocking river flow, large amounts of snow runoff, heavy rains that cause flash flooding, and drainage problems. It takes only one major flood event to cause a catastrophe. There are maps that show areas predicted to flood. To find out more about flood-prone area maps, check with the City of Miles City Engineering Office located at 17 S. 8th Street.

If you're looking at a property, it's a good idea to check out the possible flood hazard before you buy. Here's why:

- The force of moving water or waves can destroy a building.
- Slow-moving floodwaters can knock people off their feet or float a car.
- Even standing water can float a building, collapse basement walls, or buckle a concrete floor.
- Water-soaked contents, such as carpeting, clothing, upholstered furniture, and mattresses, may have to be thrown away after a flood.
- Some items, such as photographs and heirlooms, may never be restored to their original condition.
- Floodwaters are not clean: floods carry mud, farm chemicals, road oil, and other noxious substances that cause health hazards.
- Flooded buildings breed mold and other problems if they are not repaired quickly and properly.
- The impact of flood clean-up, making repairs and personal losses can cause great stress to you, your family, and your finances.

Floodplain Regulations: The City of Miles City regulates construction and development in the floodplain to ensure that buildings will be protected from flood damage. Filling and similar projects are prohibited in certain areas. Houses substantially damaged by fire, flood, or any other cause must be elevated to or above regulatory flood level when they are repaired. More information can be obtained from the City of Miles City Floodplain Administrator, Samantha Malenovsky at 234-3493.

Check for a Flood Hazard: Before you commit yourself to buying property, do the following:

- Ask the City of Miles City Floodplain Administrator Samantha Malenovsky (234-3493) if the property is in a floodplain; if it has ever been flooded; what the flood depth, velocity, and warning time are; if it is subject to any other hazards; and what building or zoning regulations are in effect.
- Ask the real estate agent if the property is in a floodplain, if it has ever been flooded, and if it is subject to any other hazards such as sewer backup or subsidence.

Exhibit A

- Ask the seller and the neighbors if the property is in a floodplain, how long they have lived there, if the property has ever been flooded, and if it is subject to any other hazards.
- Check for any deed restriction that may be on the property. Homeowners are required to fill restrictions under certain circumstances.

Flood Protection: A building can be protected from most flood hazards, sometimes at a relatively low cost. New buildings and additions can be elevated above flood levels. Existing buildings can be protected from shallow floodwaters by regrading, berms, or floodwalls. There are other retrofitting techniques that can protect a building from surface or subsurface water.

Flood Insurance: Homeowners insurance usually does not include coverage for a flood. One of the best protection measures for a building (with a flood problem) is a flood insurance policy under the National Flood Insurance Program, which can be purchased through any licensed property insurance agent. If the building is located in a floodplain, flood insurance will be required by most federally backed mortgage lenders. Ask an insurance agent how much a flood insurance policy would cost.

Buyer's Printed Name

Buyer's Signature/Date

Buyer's Printed Name

Buyer's Signature/Date

Realtors Printed Name

Realtors Signature/Date

FLOOD INSURANCE DISCLOSURE AND ACKNOWLEDGEMENT

Property flooding can occur any time of the year from both surface water as well as groundwater (water rising up through the ground). Your hazard insurance policy usually will NOT cover property damage due to this type of flooding. If a property is determined to lie within a FEMA-designated 1% Flood Hazard Area and you're obtaining a loan, your lender will likely require you to purchase flood insurance in connection with your purchase of the property.

The National Flood Insurance Program (NFIP) provides for the availability of flood insurance but also establishes flood insurance policy premiums based on the risk of flooding in the area where properties are located. Due to recent amendments to federal law governing the NFIP those premiums are increasing, and in some cases will rise by a substantial amount over the premiums previously charged for flood insurance for the property. As a result, you should not rely on the premiums previously-paid for flood insurance on a property as an indication of the premiums that will apply after you complete your purchase.

While the risk of flooding can be higher in a FEMA-designated Flood Hazard Area, flooding can also occur on properties that are NOT located within these Flood Hazard Area. Whether or not a property lies within a FEMA-designated Flood Hazard Area, you are encouraged to contact one or more carries of flood insurance for a better understanding of flood insurance coverage, the premiums that are likely to be required to purchase such insurance and any available information about how those premiums may increase in the future.

For more information on flood insurance and the National Flood Insurance Program (NFIP) research:

www.floodsmart.gov

www.fema.gov/national-flood-insurance-program

www.realtor.org/topics/national-flood-insurance-program-nfip

Property Address:

Buyer's Printed Name

Buyer's Signature/Date

Buyer's Printed Name

Buyer's Signature/Date

APPENDIX D

INSURANCE IMPLICATIONS

Permit # _____

Name: _____

Address of Proposed Structure: _____

Legal Description: _____

The Federal Insurance Administration, by statute, must charge insurance rates commensurate with the risk to which a building is exposed. In some instances the additional cost of insuring these buildings, if they are not elevated or floodproofed in accordance with the NFIP requirements, would approach or even exceed the cost of meeting NFIP elevation or dry floodproofing requirements, and the structure would still be exposed to flood damages.

Some structures within the floodplain will require floodplain insurance, flood insurance will be required by most federally back mortgage lenders. Please talk with your insurance agent and/or lender to review any implications this may have.

It is the property owner's responsibility to ensure that the home is built compliant with all federal, state, and local requirements and will apply for flood insurance as needed.

In signing this statement, the issuance understands and agrees with the above terms.

Property Owner:

Please Sign Name

Date

APPENDIX E

2005 MCA Section 2-2-105 Ethical requirements for public officers and public employees.

- 1) The requirements in this section are intended as rules of conduct, and violations constitute a breach of the public trust and public duty of office or employment in state or local government.
- 2) Except as provided in subsection (4), a public officer or public employee may not acquire an interest in any business or undertaking that the officer or employee has reason to believe may be directly and substantially affected to its economic benefit by official action to be taken by the officer's or employee's agency.
- 3) A public officer or public employee may not, within 12 months following the voluntary termination of office or employment, obtain employment in which the officer or employee will take direct advantage, unavailable to other, of matters with which the officer or employee was directly involved during a term of office or during employment. These matters are rules, other than rules of general application, that the officer or employee actively helped to formulate and applications, claims, or contested cases in the consideration of which the officer or employee was an active participant.
- 4) When a public employee who is a member of a quasi-judicial board or commission or of a board, commission, or committee with rulemaking authority is required to take official action on a matter as to which the public employee has a conflict created by a personal or private interest that would directly give rise to an appearance of impropriety as to the public employee's influence, benefit, or detriment in regard to the matter, the public employee shall disclose the interest creating the conflict prior to participating in the official action.
- 5) A public officer or public employee may not perform an official act directly and substantially affecting a business or other undertaking to its economic detriment when the officer or employee has a substantial personal interest in a competing firm or undertaking.