

**ORDINANCE NO. 2019-002**

**AN ORDINANCE TO AMEND TITLE 18 OF THE TOWN OF THOMPSON'S STATION,  
TENNESSEE MUNICIPAL CODE BY ESTABLISHING A UTILITIES BOARD OF THE TOWN**

WHEREAS, the Board of Mayor and Aldermen of the Town of Thompson's Station ("BOMA") serves as the wastewater board pursuant to Tenn. Code Ann. § 7-35-401 et seq.; and

WHEREAS, the BOMA has determined that it is in the best interest of the Town to create a new Utilities Board to assist BOMA in its duties and to advise Town Staff with respect to operation of the wastewater system and other utility-related functions.

NOW, THEREFORE, BE IT ORDAINED by the Board of Aldermen of the Town of Thompson's Station, Tennessee as follows:

**Section 1.** That Title 18 of the Thompson's Station Municipal Code is amended by adding a new Chapter 3, to be titled Utilities Board, as follows:

**18-301. Creation.**

That there is hereby created a Utilities Board to be known and referred to herein as the Thompson's Station Utilities Board ("Utilities Board" or "board").

**18-302. Board Membership; Appointment.**

The Utilities Board shall consist of seven (7) members appointed by the Board of Mayor and Aldermen ("BOMA"). The BOMA may, in its discretion, appoint one (1) BOMA member as one (1) of the seven (7) members of the Utilities Board, but in that event, the term of that member shall not extend beyond their term on the BOMA.

Utility Board members shall be appointed by majority vote of the BOMA and shall serve at the will of BOMA. The terms of all the Utility Board Members shall run from their original appointment for a period of two (2) years. However, if a member of the BOMA of the Town is appointed to serve on the board, the BOMA member's term shall run concurrent with their BOMA term. Appointments to complete unexpired terms of office, vacant for any cause, shall be made in the same manner as the original appointments.

**18-303. Meetings; Compensation.**

(a) Within thirty (30) days after appointment of members, the Utilities Board shall hold a meeting to elect a chair and designate a secretary, who need not be a member. The board shall hold public meetings at least once per month, at such regular time and place as they may determine. Notices of the time and place of all meetings shall comply with the Open Meetings Act. The board shall establish its own rules of procedure at its first meeting.

(b) All members of the Utilities Board shall serve without compensation, but they shall be allowed necessary traveling and other expenses while engaged in the business of the board.

**18-304. Powers; Duties.**

(a) From and after its first meeting, the Utilities Board shall provide guidance and direction to Town Staff and shall advise the BOMA in all matters pertaining to the operation of the Town's wastewater system. The board may adopt policies related to the operation of the wastewater system, provided that such policies shall be consistent with any ordinances of the Town and any applicable state laws and regulations.

(b) Subject to funds specifically budgeted by the Board of Mayor and Aldermen and subject to the Town's purchasing policies, the Utilities Board may authorize expenditures for goods or services related to the operation of the wastewater facilities.

(c) The board shall not be responsible for the supervision of Town staff, nor shall it have any authority with respect to the hiring, dismissal or discipline of Town employees.

(d) The Town Administrator or his or her designee shall be present at all meetings of the Utilities Board and assist the board in the collection of information it needs to perform its duties.

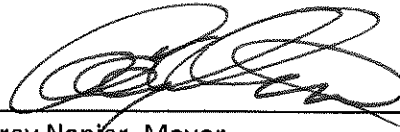
(e) The board shall perform such other duties related to the operation of the Town's water and wastewater systems as may be requested by the BOMA.

(f) The board may also perform other duties with respect to other, non-wastewater related utility issues as may be requested by the BOMA from time to time.

**Section 2.** If any section, clause, provision, or portion of this Ordinance is for any reason declared invalid or unconstitutional by any court of competent jurisdiction, such holding shall not affect any other section, clause, provision, or portion, of this Ordinance which is not itself invalid or unconstitutional.

**Section 3.** This ordinance shall become effective upon final passage, the public welfare requiring it.

Duly approved and adopted by the Board of Mayor and Aldermen of the Town of Thompson's Station, Tennessee, on the 12<sup>th</sup> day of February, 2019.



Corey Napier, Mayor

ATTEST:



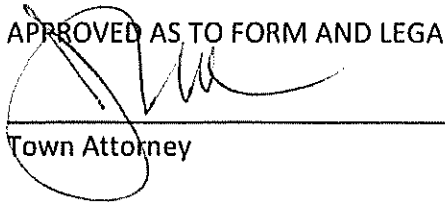
Jennifer Jones, Town Recorder

Passed First Reading: 1/8/2019

Passed Second Reading: 2/12/2019

Submitted to Public Hearing on the 12 day of February, 2019, at 7:00 p.m., after being advertised in the *Williamson AM* Newspaper on the 13<sup>th</sup> day of January, 2019.

APPROVED AS TO FORM AND LEGALITY:



Town Attorney