

general assembly members of publication of report, § 3-1-114.

#### **6-58-114. Joint economic and community development board.**

(a) It is the intent of the general assembly that local governments engage in long-term planning, and that such planning be accomplished through regular communication and cooperation among local governments, the agencies attached to them, and the agencies that serve them. It is also the intent of the general assembly that the growth plans required result from communication and cooperation among local governments.

(b) There shall be established in each county a joint economic and community development board, which shall be established by interlocal agreement pursuant to § 5-1-113. The purpose of the board is to foster communication relative to economic and community development between and among governmental entities, industry, and private citizens.

(c) Each joint economic and community development board shall be composed of representatives of county and city governments, private citizens, and present industries and businesses. The final makeup of the board shall be determined by interlocal agreement but shall, at a minimum, include the county mayor and the city mayor or city manager, if appropriate, of each city lying within the county and one (1) person who owns land qualifying for classification and valuation under title 67, chapter 5, part 10; provided, that in cases where there are multiple cities, smaller cities may have representation on a rotating basis as determined by the interlocal agreement.

(d) There shall be an executive committee of the board, which shall be composed of members of the joint economic and community development board selected by the entire board. The makeup of the executive committee shall be determined by the entire joint economic and community development board but shall, at a minimum, include the county mayor and the city mayors or city managers of the larger municipalities in the county.

(e) The terms of office shall be determined by the interlocal agreement, but shall be staggered, except for those positions held by elected officials whose terms shall coincide with the terms of office for their elected positions. All terms of office shall be for a maximum of four (4) years.

(f) The board shall meet, at a minimum, four (4) times annually, and the executive committee of the board shall meet at least four (4) times annually. An executive committee meeting shall be held once each calendar quarter. Minutes of all meetings of the board and the executive committee shall be documented by minutes kept and by certification of attendance. Meetings of the joint economic and community development board and its executive committee are subject to the open meetings law.

(g)(1) The activities of the board shall be jointly funded by the participating governments. The formula for determining the amount of funds due from each participating government shall be determined by adding the population of the entire county as established by the last federal decennial census to the populations of each city as determined by the last federal decennial census, or special census as provided for in § 6-51-114, and then determining the percentage that the population of each governmental entity bears to the total

amount.

(2) If a special census has been certified pursuant to § 6-51-114, during the five-year period after certification of the last federal decennial census, the formula shall be adjusted by the board to reflect the result of the special census; provided, that the board shall only make such an adjustment during the fifth year following the certification of a federal decennial census.

(3) The board may accept and expend donations, grants and payments from persons and entities other than the participating governments. The board is authorized to transfer or to donate funds from participating governments or outside sources to other public or nonprofit entities within the county to be used for economic or industrial development purposes.

(4) If, on May 19, 1998, a county and city government have a joint economic and community development council that has an established funding mechanism to carry out a unified economic and community development program for the entire county, such funding mechanism shall be utilized in lieu of the formula established in this subsection (g).

(h) An annual budget to fund the activities of the board shall be recommended by the executive committee to the board, which shall adopt a budget before April 1 of each year. The funding formula established by this act shall then be applied to the total amount budgeted by the board as the participating governments' contributions for the ensuing fiscal year. The budget and a statement of the amount due from each participating government shall be immediately filed with the appropriate officer of each participating government. In the event a participating government does not fully fund its contribution, the board may establish and impose such sanctions or conditions as it deems proper.

(i) When applying for any state grant a city or a county shall certify its compliance with the requirements of this section.

(j) If there exists within a county a similar organization on May 19, 1998, that organization may satisfy the requirements of this section. The county mayor shall file a petition with the committee, which shall make a determination whether the existing organization is sufficiently similar to the requirements of this section. When the committee has made its determination, an affected municipality or county may rely upon that status of the existing organization to satisfy the certification requirements of subsection (i).

(k) The county mayor and the mayor, or city manager, if appropriate, of each city lying within the county are authorized to designate an alternate representative, who shall have full authority to vote and participate in all activities of the joint economic and community development board and its executive committee. An alternate appointed to serve on the joint economic and community development board or its executive committee shall have experience or education in the fields of public administration, economic and community development or planning, and be able to speak for the entity represented.

**History.**

Acts 1998, ch. 1101, § 15; 2003, ch. 90, § 2; 2005, ch. 245, §§ 2, 3; 2006, ch. 608, § 1.

**Compiler's Notes.**

Acts 2003, ch. 90, § 2, directed the code commission to change all references from

recutive" to "county mayor" and to such changes in supplements and volumes for the Tennessee Code

Municipality that is not participating in or helping fund local joint economic and community development board would not be eligible for a grant, OAG 05-109 (7/11/05).

**Section References.**

tion is referred to in § 6-58-101.

Authority of a joint economic development board the board to acquire an industrial building and lease it to a private business on behalf of all of its constituent members, OAG 05-176 (12/13/05).

**General Opinions.**

s of county economic development ng which it carries out its function as nomic and community development ler T.C.A. § 6-58-114 are subject to Meetings Act, OAG 03-091 (7/24/03).

Compliance with T.C.A. § 6-58-114, OAG 06-151 (10/2/06).

Applicability of the Public Records Act to records of a county economic development agency, OAG 07-170 (12/21/07).

**5. Applicability to pending annexation ordinances.**

chapter shall not apply to any annexation ordinance that was pending, yet effective, on November 25, 1997.

98, ch. 1101, § 16.

**3. Airport — Annexation-free zone.**

withstanding the provisions of §§ 6-58-106, 6-58-108 and 6-58-111, the of an airport with regularly scheduled commercial passenger service ocated in a county other than the county where the creating municipi- located, except upon approval by resolution of the legislative body of ating municipality, shall be and remain in an annexation-free zone.

02, ch. 572, § 1.

**7. Flood insurance rate map or flood hazard boundary map — Requirements for participation in the national flood insurance program.**

i cooperation with the department of economic and community devel- , all counties and municipalities in this state that have an effective surance rate map or flood hazard boundary map published by the emergency management agency that identifies a special flood hazard thin the political boundaries of the county or municipality shall meet uirements for participation in the national flood insurance program zed by 42 U.S.C. § 4001 et seq. and administered by the federal ncy management agency on or before June 30, 2012.

a county or municipality does not currently have an effective flood ce rate map or flood hazard boundary map published by the federal ncy management agency that identifies a special flood hazard area the political boundaries of county or municipality, the county or pality shall have twenty-four (24) months from the effective date of any flood insurance rate map or flood hazard boundary map published by