

## TITLE 2

### BOARDS AND COMMISSIONS, ETC.

#### CHAPTER

1. AIRPORT AND AERONAUTICS BOARD.
2. LAWRENCEBURG CROCKETT THEATER BOARD.

#### CHAPTER 1

### AIRPORT AND AERONAUTICS BOARD

#### SECTION

- 2-101. Creation and establishment.
- 2-102. General powers.
- 2-103. Funds for the board's use.
- 2-104. Specific powers.
- 2-105. Agreement for operation of airport.
- 2-106. Airport is within police jurisdiction.

**2-101. Creation and establishment.** (1) Membership. There is hereby created and established an airport and aeronautics board, which shall consist of six (6) members, three (3) of which shall be appointed by the Board of Mayor and Council of the City of Lawrenceburg, Tennessee, and three (3) of which shall be appointed by the County Commission of Lawrence County, Tennessee, and whose term of office shall be for a period of three (3) years, except the first board, whereon the term of one member shall expire in one (1) year, another in two (2) years and another in three (3) years.

(2) Term. The term of each commissioner shall begin on the 1st day of July and shall expire on the 30th day of June.

The Board of Mayor and Council of the City of Lawrenceburg, Tennessee shall appoint a resident of Lawrenceburg or Lawrence County, Tennessee to serve for a term of three (3) years, beginning on July 1 of that year, for the member of said board whose term expires that year.

No board or committee member may serve more than twelve (12) consecutive years in the same appointed board or committee position.

(3) Vacancies. In the event of a vacancy on said airport and aeronautics board by reason of death, resignation, or removal from Lawrence County, Tennessee, the Board of Mayor and Council who elected said member, shall elect some person, a resident of either Lawrence County, Tennessee or the City of Lawrenceburg, Tennessee, to fill the unexpired term of the member.

All members of said board shall serve until the expiration of their term or a vacancy otherwise occurs and until the appointment and qualification of his successor.

(4) Compensation. No member of said board shall receive compensation, as such, except there may be allowed such amount as fixed by the Board of Mayor and Council of the City of Lawrenceburg and the County Commission of Lawrence County, Tennessee, out of funds appropriated for or received by said board out of the income from the operation of the airport, for attending each meeting of the board.

Members of the board shall be eligible to be reimbursed for board approved travel expenses.

(5) Organization. At the first meeting of the board, after their appointment, the board shall organize and elect from their number a chairman and a secretary, who shall keep an accurate record of the proceedings of said board. (1999 Code, § 2-101, modified, and amended by Ord. #1091, March 2012)

**2-102. General powers.** The joint board herein established shall have power and authority to plan, acquire, establish, develop, construct, enlarge, improve, maintain, equip, operate, regulate protect, and police the Lawrenceburg Airport and/or air navigation easement to be or which has previously been jointly acquired, controlled, and operated. Such board may exercise on behalf of the City of Lawrence and Lawrence County, Tennessee all the powers of each with respect to such airport, air navigation facilities, airport hazard, or navigation easement, subject to the limitations contained in Tennessee Code Annotated, § 42-5-204.

Said joint board shall have full power and authority to adopt its rules of procedure and shall act upon a majority vote of a quorum, and a majority of said board present at a meeting shall constitute a quorum. (1999 Code, § 2-102)

**2-103. Funds for the board's use.** For the purpose of providing the joint board with monies for necessary expenditures in carrying out the provisions of this chapter, a joint fund shall be created and maintained, into which shall be deposited the share of each the City of Lawrenceburg and Lawrence County, Tennessee, as provided by the joint agreement between them, and which shall be provided from funds from sources available to each. Any federal, state or other contributions or loans, and the revenues obtained from the joint ownership, control, and operation of said airport or air navigation facilities, under the jurisdiction of the board, shall be paid into the joint fund. Disbursements from such fund shall be made by order of the board, subject, subject to the limitations prescribed in Tennessee Code Annotated, § 42-5-204.

The board shall keep all funds coming into its hands in a separate bank account and shall render a statement of its accounts and fund balances, including a statement of all receipts and expenditures to the Board of Mayor and Council of the City of Lawrenceburg and the County Commissioners of Lawrence County, Tennessee, quarterly. Said board shall have its books, accounts, and funds audited each year by a reputable certified public accountant, and a report shall be filed with the Board of Mayor and Council of the City of Lawrenceburg

and the County Commission of Lawrence County, Tennessee. (1999 Code, § 2-103, modified, and amended by Ord. #1091, March 2012)

**2-104. Specific powers.** There is hereby delegated to the board the authority to enforce all state and federal regulations as relates to airports. Said board shall have the authority to enter into agreements with the Tennessee Aeronautics Commission, Federal Aviation Agency, and the United States Government or the State of Tennessee, or any administrative body under either of the aforesaid entities, for the purpose of planning, acquiring, establishing, developing, construction, enlarging, improving, operating, regulating, protecting, and policing the airport appurtenances and facilities related thereto owned by the City of Lawrenceburg and Lawrence County, Tennessee, and in addition thereto it shall have the following power and authority:

(1) Expenditures. The total expenditures to be made by the joint board for any purpose in any fiscal year shall be determined by a budget approved by the governing bodies of its constituent public agencies on or before the first day of the fiscal year.

(2) Acquisitions beyond sums allotted. No airport, air navigation facility, airport hazard, navigation easement, or real or personal property, the cost of which is in the excess of sums therefore fixed by the joint agreement or allotted in the annual budget, may be acquired by the joint board without the approval of the governing bodies of its constituent public agencies.

(3) Eminent domain. Eminent domain proceedings under Tennessee Code Annotated, §§ 42-5-201 and 42-5-205 may be instituted only by authority of the governing bodies of the constituent public agencies, which authority may be resolution or ordinance, provided that the joint board may, without such consent, enter into the contract, lease or other arrangements contemplated by Tennessee Code Annotated, § 42-5-110.

(4) Disposal of real property. The joint board shall not dispose of any airport navigation facility, navigation easement, or real property under its jurisdiction except with the consent of the governing bodies of its constituent public agencies; provided that the joint board may, without such consent enter into the contract, lease, or other arrangements contemplated by Tennessee Code Annotated, § 42-5-110.

(5) Police regulations. Any resolutions, rules, regulations, or orders of the joint board dealing with subjects authorized by Tennessee Code Annotated, § 42-5-113 shall become effective only upon approval of the governing bodies of the constituent public agencies provided that upon approval, the resolutions, rules, regulations, or orders of the joint board shall have the same force and effect in the territories or jurisdictions involved as the ordinances, resolutions, rules of order, of each public agency would have in its own territory or jurisdiction.

(6) To enter into contracts, leases, agreements, grants or other arrangements for a term not exceeding ten (10) years, with any person or

persons, or corporation, either exclusive or in common with others, for the operation and maintenance of the airport, as stated below, provided that the public is not deprived of its lawful use thereof, and provided that the same shall not be inconsistent with the project application with the Federal Aviation Agency and the Grant Agreement with the Federal Aviation Agency thereof.

(a) Granting the privilege of using or improving such airport or air navigation facilities, including buildings or structures, or any portion of facility thereof, relating thereto, or real property acquired or set aside for such purposes, or space therein for commercial purposes, establishing the charges, rentals or fees at a fixed or variable rate binding upon the parties thereto for the full term of such contracts, leases, agreements, grants or other arrangements.

(b) Conferring the privileges of supplying goods, commodities, things, services or facilities at such airport or air navigation facilities.

(c) Determining the charges, rentals or fees for the use of any properties under its control and the charges for any services or any property may be used, except that such charges, rentals and fees as may be fixed or determined by any contract, lease agreement, grant or other arrangement or privileges, uses, services, accommodations or concessions to which the cities are a party, or are the grantors, shall, if expressly provided therein, be binding upon all parties thereto for the full term prescribed therein, unless the same is sooner nullified or terminated by mutual consent of the parties thereto.

(d) To enforce the payment of any charges for repairs or improvements to, or storage or care of, any personal property made or furnished in connection with the operation of the airport or air navigation facilities owned by the City of Lawrenceburg and Lawrence County, Tennessee.

(e) The board shall not dispose of any airport property or facilities except with the consent of the Board of Mayor and Council of the City of Lawrenceburg and the County Commission of Lawrence County, Tennessee, by joint action of said two bodies.

(f) The enumeration of powers herein shall not be construed as a limitation upon the power of said board, but the board shall have full and complete authority to carry out the purposes of this chapter and as vested in it by the laws of the State of Tennessee and this chapter. (1999 Code, § 2-104, modified, and amended by Ord. #1091, March 2012)

**2-105. Agreement for operation of airport.** This chapter, together with the resolution of the County Commission of Lawrence County, Tennessee, shall be considered as, and be, the agreement found in the Lawrence County, Tennessee and City of Lawrenceburg, for the joint operation of said airport. (1999 Code, § 2-105)

**2-106. Airport is within police jurisdiction.** Said airport shall be considered and deemed as one of the public streets of the City of Lawrenceburg, Tennessee, and the police jurisdiction of the City of Lawrenceburg shall extend to and cover said airport property, and the same shall be subject to enforcement of the ordinances of the City of Lawrenceburg to the same extent as if said airport were included within the city boundaries of the city. (1999 Code, § 2-106)

## CHAPTER 2

### LAWRENCEBURG CROCKETT THEATER BOARD

#### SECTION

- 2-201. Creation and establishment.
- 2-202. General powers and responsibilities.
- 2-203. Funds for the board's use.
- 2-204. Specific powers.

#### **2-201. Creation and establishment.**

(1) Creation and objective. Upon the adoption of this ordinance, there is created the Lawrenceburg Crockett Theater Board. The objective of the Lawrenceburg Crockett Theater Board is to enhance the quality of life for citizens of Lawrenceburg by encouraging visual and performing arts in order to further the public enjoyment and awareness of the visual and performing arts through the utilization of the Lawrenceburg Crockett Theater.

(2) Membership. (a) Qualifications. The selection of the board members shall be made from individuals who have an interest in the arts as evidenced by knowledge, support and experience. Members shall be selected without respect to political affiliations and shall serve without salary or compensation.

(b) Number of members/terms. The Lawrenceburg Crockett Theater Board shall consist of nine (9) members, each of whom shall be appointed for a term of three (3) years, provided that three of the initial nine members shall serve for one (1) year, three for two (2) years and three for three (3) years in order to achieve staggered terms of office. All subsequent appointments shall be for three (3) years, or for the duration of an unexpired term in the case of an appointment to a vacancy.

No board or committee member may serve more than twelve (12) consecutive years in the same appointed board or committee position.

(c) Appointment. Members of the Lawrenceburg Crockett Theater Board shall be appointed by the Mayor of the City of Lawrenceburg, subject to confirmation by the Board of Mayor and Council. City residency is preferred, but not required.

(d) Vacancies. In the event of a vacancy on said board by reason of death, resignation, or removal, the Board of Mayor and Council of the City of Lawrenceburg shall appoint some person to fill the unexpired term of the member. All members of said board shall serve until the expiration of their term or a vacancy otherwise occurs and until the appointment and qualification of his successor.

(3) Compensation. No member of said board shall receive compensation as such except there may be allowed such amount as fixed by the Board of Mayor and Council of the City of Lawrenceburg out of funds

appropriated for or received by said board out of the income from the operation of the Lawrenceburg Crockett Theater, for attending each meeting of the board.

Members of the board shall be eligible to be reimbursed for board approved travel expenses.

(4) Organization. At the first meeting of the board, after their appointment, the board shall organize and elect from their number a chairman, vice-chairman, secretary, and a treasurer who shall keep an accurate record of the proceedings of said board. Each shall serve for one (1) year terms of office. A majority of the board shall constitute a quorum for the transaction of business and a majority vote of those present shall be necessary to carry any proposition.

(a) The board shall determine a regular meeting schedule as necessary but not less frequent than once every two (2) months. All meetings shall be open to the public and the meetings shall be ruled by the Tennessee Sunshine Law to the extent proceedings of the Board of Mayor and Council are governed by such law.

(b) The board shall adopt such rules and regulations as necessary for the conduct of its business. The rules and regulations shall be reviewed and revised by the Board of Mayor and Council as may be required. (1999 Code, § 2-201, modified, and amended by Ord. #1091, March 2012)

**2-202. General powers and responsibilities.** The board herein established shall have the power and authority to enter into a lease with the City of Lawrenceburg for the Lawrenceburg Crockett Theater building, and to oversee the general maintenance, operation, regulation, protection of the Lawrenceburg Crockett Theater.

(1) The Lawrenceburg Crockett Theater Board is also authorized to apply for grants for renovations, improvements, or construction concerning the Lawrenceburg Crockett Theater Board. However, no structural changes shall be authorized by the theater board without prior approval of the Board of Mayor and Council of the City of Lawrenceburg.

(2) The board shall advise the Board of Mayor and Council on matters pertaining to cultural and artistic endeavors, projects, acquisitions of funds, and expenditures in which the city becomes involved concerning the Lawrenceburg Crockett Theater and will act as a representative of the community in such matters.

(3) The board shall, on behalf of the city, encourage, sponsor, co-sponsor, or conduct public programs to further the development and public awareness of the arts.

(4) The board shall encourage donations, grants and other support to further expand the arts and cultural services and programs available to the citizens of Lawrenceburg and the Lawrenceburg Crockett Theater.

(5) The board shall take such other actions as the mayor may direct from time to time. (1999 Code, § 2-202, modified, and amended by Ord. #1091, March 2012)

**2-203. Funds for the board's use.** (1) Fund created. For the purpose of providing the board with monies for necessary expenditures and carrying out the provisions of this chapter, a fund shall be created and maintained into which shall be deposited funds available for the Lawrenceburg Crockett Theater Board approved by the City of Lawrenceburg. All grants, contributions or loans and the revenue from the control and operation of the Lawrenceburg Crockett Theater, under the jurisdiction of the board, shall be paid into said fund. Disbursements from such fund shall be made by order of the board.

The board shall keep all funds coming into its hands in a separate bank account and shall render a statement of its accounts and fund balances, including a statement of all receipts and expenditures to the Board of Mayor and Council of the City of Lawrenceburg, quarterly. Said board shall have its books, accounts and funds audited each year by a reputable certified public accountant, and a report shall be filed with the Board of Mayor and Council of the City of Lawrenceburg.

(2) Budget. The Lawrenceburg Crockett Theater Board shall submit a budget request to the Board of Mayor and Council of the City of Lawrenceburg on or before the fifteenth (15th) day of June of each year. The budget shall include annual recommendation to the Board of Mayor and Council for the expenditure of funds in the Crockett Theater Board fund.

Total expenditures to be made by the board for any purpose in any fiscal year shall be determined by a budget approved by the Board of Mayor and Council of the City of Lawrenceburg.

(3) Acquisitions beyond sums allotted. The board does not have the authority to exceed its budget without the prior approval of the Board of Mayor and Council of the City of Lawrenceburg. (1999 Code, § 2-203, modified, and amended by Ord. #1091, March 2012)

**2-204. Specific powers.** There is hereby delegated to the board the authority to enter agreements for the purpose of planning, developing, construction, enlarging, improving, operating, regulating, protecting, and policing the Lawrenceburg Crockett Theater and facilities related thereto owned by the City of Lawrenceburg, and in addition thereto it shall have the following power and authority:

(1) To enter into a lease with the City of Lawrenceburg for the Lawrenceburg Crockett Theater.

(2) To enter into contracts, leases, agreements, grants, or other arrangements for a term not exceeding ten (10) years, with any person or persons, or corporation, either exclusive or in common with other, concerning



the Lawrenceburg Crockett Theater, provided that the same shall not be inconsistent with the interests of the citizens of the City of Lawrenceburg.

(a) Granting the privilege of using or improving said Crockett Theater including any portion of the facility thereof, relating thereto or real property acquired or set aside for such purpose, establishing the charges, rental or fees at a fixed or variable rate binding upon the parties thereto for the full term of such contracts, leases, agreements, grants or other arrangements. **NOTHING HEREIN SHALL GRANT TO THE BOARD THE AUTHORITY TO APPROVE ANY STRUCTURAL CHANGES TO THE LAWRENCEBURG CROCKETT THEATER WITHOUT THE PRIOR APPROVAL OF THE BOARD OF MAYOR AND COUNCIL OF THE CITY OF LAWRENCEBURG, TENNESSEE.**

(b) Conferring the privileges of supplying goods, commodities, things, services or facilities at such Lawrenceburg Crockett Theater.

(c) Determining the charges, rentals or fees for the use of any properties under its control and the charges for any services or any property may be used.

(d) To enforce the payment of any charges for repairs or improvements to or storage or care of, any personal property made or furnished in connection with the operation of Lawrenceburg Crockett Theater owned by the City of Lawrenceburg.

(e) The board shall not dispose of any Crockett Theater property except with the consent of the Board of Mayor and Council of the City of Lawrenceburg.

(f) The enumeration of powers herein shall not be construed as a limitation upon the power of said board, but the board shall have full and complete authority to carry out the purposes of this chapter as vested in it by the Board of Mayor and Council of the City of Lawrenceburg.

(3) Liability insurance. It is the intent of this chapter that the Lawrenceburg Crockett Theater Board and its members shall be covered by the liability insurance of the City of Lawrenceburg, Tennessee. (1999 Code, § 2-204, as amended by Ord. #1091, March 2012)