


THE UNIVERSITY of TENNESSEE 
INSTITUTE for PUBLIC SERVICE
MUNICIPAL TECHNICAL ADVISORY SERVICE

April 10, 2012

Mrs. Marsha Knight, City Recorder
Town of Beersheba Springs
P.O. Box 546
Beersheba Springs, Tennessee 37305

Dear Mrs. Knight

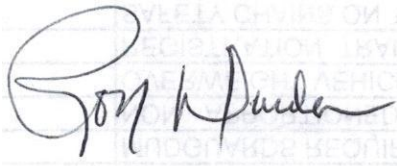
We recently discussed the legality of the city commission giving a fire truck to a citizen and the right of a citizen to vote at a commission meeting.

First of all, it is illegal for the city to give a fire truck or any other public property to a citizen. If challenged, the commissioners may be ordered by a court to repay the value of the fire truck to the town. When commissioners vote on an issue, their actions must be in compliance with the state and federal constitutions and state, federal and local laws, including common law (rulings of the courts). Their vote cannot be based only on what a commissioner thinks is right.

Only the commissioners may vote at a commission meeting. The commission may permit (but are not required) citizens to speak at a commission meeting, but citizens are only entitled to vote at the election of the commissioners, which is every two years. Your town has a representative democracy.

Please let me know if you have additional questions or comments.

Sincerely



Ron Darden
Municipal Management Consultant