

TITLE 2

BOARDS AND COMMISSIONS, ETC.

CHAPTER

1. ENVIRONMENTAL CONTROL BOARD.
2. PARKS AND RECREATION ADVISORY BOARD.
3. SCHOOL BOARD.
4. MORRISTOWN UTILITIES COMMISSION.

CHAPTER 1

ENVIRONMENTAL CONTROL BOARD<sup>1</sup>

SECTION

- 2-101. Constituted; membership and term of office; officers.  
2-102. Powers and duties.

2-101. Constituted; membership and term of office; officers. There is hereby constituted the Morristown Environmental Control Board. The board shall have five members. The first board shall consist of the following: one member who shall serve for five years, one member who shall serve for four years, one member who shall serve for three years, one member who shall serve for two years, and one member who shall serve for one year.

Annually, the city council shall appoint a board member to serve for a period of five years, to succeed the member whose term shall expire that year. The city council shall appoint a chairman of the board for the first year. Initially, the board shall select its own vice-chairman and secretary. After the first year, the board shall elect its own officers. (1979 Code, § 1-1101)

2-102. Powers and duties. The board shall be charged with the following duties and responsibilities:

(1) To investigate, study, and recommend to the city council the adoption of a long range plan to improve and preserve the environment of the city.

In this connection, the improvement of the environment shall be construed to include the control of the following types of pollution: Air pollution, noise pollution, water pollution, and pollution by way of the disposal of solid matter and materials;

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<sup>1</sup>Municipal code reference

Property maintenance regulations: title 13.

(2) To coordinate, with the state and federal authorities, the development of a local antipollution program and to cooperate with such state and federal authorities in the adoption of standards and the enforcement of the same;

(3) To hear grievances and act for the city as the agency of the city charged with the duty of reporting to the state air pollution board such complaints as may arise locally to the end that the state board may act to correct the same;

(4) To adopt rules and regulations for conducting such hearings as may be required in the performance of its duties;

(5) To ascertain the probable costs of the hiring of such professional and technical assistance as may be needed by the board in the performance of its duties, and to expend such amounts therefor as may be authorized by the city council;

(6) To do all things necessary and proper in the performance of the above duties. (1979 Code, § 1-1102)

## CHAPTER 2

PARKS AND RECREATION ADVISORY BOARD

## SECTION

- 2-201. Purpose of the board.
- 2-202. Established: membership and term of office; how vacancies filled; absences.
- 2-203. Officers.
- 2-204. Quorum.
- 2-205. Meetings.
- 2-206. Study and make recommendations on recreation needs of the city.
- 2-207. Properties.
- 2-208. Duties of members.

2-201. Purpose of the board. The purpose of the board created hereby, in concert with the director of parks and recreation, is to plan and promote a system of recreation opportunities and facilities within the Morristown city limits. Members of the board shall be vested with the power, duties, and obligations necessary to accomplish this purpose in its advisory role, as outlined in section 2-208 of this chapter. The board will assist the city by providing recommendations concerning all facets of recreation and parks activities. (Ord. #2986, June 1999)

2-202. Established: membership and term of office; how vacancies filled; absences. There is hereby created a parks and recreation advisory board for the City of Morristown.

(1) The parks and recreation department advisory board shall be composed of nine (9) appointive members, appointed by the governing body in such manner so as to be composed of members representative of the diverse recreation interests in the city.

(2) Initial members will be appointed to serve the following terms: three members for one year; three members for two years; and three members for three years. Thereafter, all appointments shall be for terms of three years. One member of the governing body shall be an ex-officio voting member of the board, whose term shall run concurrently with their term of office. One ex-officio voting member shall be appointed by the Hamblen County Legislative Body. The director of parks and recreation shall be an ex-officio non-voting member of the board. If a vacancy occurs among appointive members, the vacancy shall be filled for the unexpired term in the manner herein provided for original appointments.

(3) Any appointive member of the board with unauthorized absences shall be removed from their position on such board if the member fails to attend 75% of the regular scheduled or legally called meetings during the most recent

twelve (12) month period unless the individual is absent as a result of representing the board in an official capacity as authorized by the chairperson or voted upon and recorded in such board's minutes.

(4) Members of the board and all standing subcommittees shall serve without compensation.

(5) Members of the board shall not serve more than two (2) consecutive terms of office; members may be reappointed after not having been a board member for one (1) year. (Ord. #2986, June 1999)

2-203. Officers. Immediately upon appointment of all appointive members and each July thereafter, the parks and recreation advisory board shall select from its appointive members a chairperson, a vice chairperson and a secretary. The chairperson shall serve as the presiding officer and shall assign duties and responsibilities to board members. The vice chairperson shall serve as chairperson during absences of the chairperson. The secretary shall maintain a record of the proceedings at meetings of the board. A quorum must be present for the nomination and election of officers. (Ord. #2986, June 1999)

2-204. Quorum. A quorum of the parks and recreation advisory board shall consist of not less than five (5) appointive members. (Ord. #2986, June 1999)

2-205. Meetings. The parks and recreation advisory board shall meet on the second Thursday of each month at 5:30 P.M. at the parks and recreation office, or at such other time and place as may be directed by a majority of the board. The board shall also hold an annual business meeting to review and/or revise, as needed, areas of responsibility, parks and recreation department operations, parks and recreation facilities, equipment and properties, and parks and recreation advisory board operations. Special meetings may be called by the chairperson or by a majority of the appointive members of the board upon twenty-four (24) hours notice to all members of the board. (Ord. #2986, June 1999)

2-206. Study and make recommendations on recreation needs of the city.

(1) The parks and recreation advisory board shall study the parks and recreation needs of the community and recommend to the governing body recreational programs, facilities, and special equipment, and sites needed for development or acquisition for the provision of leisure time services to the citizens of the city.

(2) The parks and recreation advisory board shall, as needed, develop special standing subcommittees. Structure, purpose, tenure, and functions of each standing subcommittee shall be determined by the parks and recreation advisory board. Standing subcommittee membership appointments shall be made by the parks and recreation advisory board with the consent of the

governing body. Membership of each standing subcommittee shall include at least one parks and recreation advisory board member. The chairperson and the director of the parks and recreation department shall be ex-officio members of all boards and shall be notified of all meetings.

(3) The parks and recreation advisory board shall study recommendations submitted by the recreation director or, if they involve matters of general policy, from any source outside the department, and shall advise and influence appropriate action. (Ord. #2986, June 1999)

2-207. Properties. (1) The board may solicit and/or accept any gifts, bequests of money, personal property, real property or other donations given to the parks and recreation department of the city.

(2) All gifts, bequests of money, personal property, real property or other donations made for use of the parks and recreation advisory board and accepted by the board shall become the sole property of the City of Morristown and may be used as the board deems proper subject to the wishes of the governing body, and provided same is used or spent on parks and recreation. All title to or access to such gifts, bequests, or donations shall be relinquished by the donor. (Ord. #2986, June 1999)

2-208. Duties of members. It shall be the duty of each member of the board to:

(1) Take an active part in the board's responsibilities and to become acquainted with the parks and recreation department's facilities and activities;

(2) Be responsible for the improvement, growth and expansion of the parks, recreation and tourism programs;

(3) Avoid taking an official position in board actions, including voting, in which they may be considered to have a conflict of interest;

(4) Develop contacts for financial and legislative support for the department;

(5) Periodically evaluate:

(a) The progress of acquisition/development programs

(b) The effectiveness of recreation and leisure programs

(c) The level of maintenance of park areas

(6) Attend all advisory board meetings, or, if absent, to give just and reasonable cause why absent, and to give notice to the board chairperson or director if known in advance that absence will be unavoidable;

(7) Interpret the recreation and parks services of the department to the community and interpret the needs and desires of the community to the department;

(8) Stimulate citizen interest in recreation and create motivation for citizen participation;

(9) Adopt by-laws and rules for the orderly performance and discharge of its duties. (Ord. #2986, June 1999)

## CHAPTER 3

SCHOOL BOARD<sup>1</sup>

## SECTION

2-301. Created.

2-302. Membership; appointment of members; term of office.

2-303. Qualifications of members; vacancies in office; reappointment of members.

2-304. Powers and duties.

2-301 Created. There is hereby created the Morristown School Board. (1979 Code, § 1-1301)

2-302. Membership; appointment of members; term of office. The school board shall consist of five members to be appointed by the city council immediately upon the second and final passage of the provisions of this chapter. The terms of office of those members of the school commission serving upon the provisions of this chapter are hereby terminated. Of the new members to be appointed by the city council upon the final passage of the provisions of this chapter, one is to be appointed for a term expiring May 1, 1970, one for a term expiring May 1, 1973 and one for a term expiring May 1, 1974. At the expiration of the term of office of each original member, a person shall be appointed to membership on the school board for a term of five years. (1979 Code, § 1-1302)

2-303. Qualifications of members; vacancies in office; reappointment of members. The members of the school board shall be residents and voters of the city. No member of the city council, nor any city or county official holding a remunerative office, nor any city employee, shall be eligible for election to the school board. If a member of the school board ceases to reside in the city, the office of such member shall automatically become vacant. If any member fails, neglects, or refuses to attend three consecutive meetings of the school board, the office of such member shall automatically become vacant. When a vacancy occurs, the unexpired term shall be filled at the next regular meeting of the city council.

Any person appointed to such school board shall be at least twenty-five years of age and a resident of the city. (1979 Code, § 1-1303)

2-304. Powers and duties. (1) Except as herein otherwise provided, the board shall have full and exclusive power and authority to manage, control, and

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<sup>1</sup>Charter reference  
Schools: § 5(5)

regulate the public or city schools, to elect or employ competent and qualified teachers and a superintendent of schools, and to prescribe all needful rules and regulations for the government, control, and operation of such schools, teachers, and superintendent. Such board shall also adopt and prescribe all necessary rules and regulations for its own conduct and the dispatch of its business.

(2) Such board shall elect a chairman, vice-chairman, and secretary; and such board shall keep minutes of all its proceedings in a well-bound book signed by the chairman and attested by the secretary. A copy of the minutes of each board meeting shall be forwarded to each member of the city council as soon as practicable following each board meeting.

(3) The board is to review, revise, and approve an annual budget prepared by the superintendent of schools, and submit said budget to city council by May 15. The school budget submitted by the school board shall include estimates by item of revenues and expenditures of the previously approved budget, as well as all revenues and expenditures necessary for the operation of the school system for the next fiscal year. The city council shall then set the total amount of funds to be expended for the school system for the next fiscal year. The authority to modify or delete any items from the school budget shall rest with the school board. The budget items shall not include any plan for the purchase of land, nor the purchase, construction, reconstruction, or major alteration of any building for school purposes. The board shall keep within, and shall not at any time exceed, the budgeted amount appropriated by the city council with respect to the expenses of operating the school system.

(4) In the planning and construction of new school facilities and additions that are financed by the city, the following procedures and assignment of responsibilities shall be observed:

(a) The school board shall be responsible for conducting periodic studies of the school facility needs and for developing both immediate and long range priorities. Approval must be received from city council in order to proceed with further planning.

(b) The school board, in proceeding with the planning of needed facilities, shall have the authority to select an architect and develop educational specifications.

(c) The selection of the site for such facility or sites for future facilities must be approved jointly by the school board and city council.

(d) The school board shall at this time develop and approve preliminary drawings and cost estimates, which then must be approved for funding by the city council through the sale of bonds or from operating funds.

(e) The acceptance of working drawings and specifications and advertising for bids shall be the responsibility of the school board.

(f) Bids will be received and opened by the school board. Should bids exceed estimates, the decision to delete items from the original contract or to request additional funds from city council shall rest

with the school board. The board will then forward their recommendation to the city council who will set the total amount of the contract. The contract will then be signed jointly by representatives of the school board and city council.

(g) The approval of change orders, selection, and purchase of equipment within authorized funds and the final acceptance of the facility shall rest with the school board. The payment of expenses to the architect, contractor, suppliers, and equipment suppliers must be approved by the school board. Copies of invoices and monthly statements of expenses accompanied by letter of approval shall then be furnished to the city administrator for payment. (1979 Code, § 1-1304)

CHAPTER 4

MORRISTOWN UTILITIES COMMISSION<sup>1</sup>

SECTION

2-401. Morristown Utilities Commission.

2-401. Morristown Utilities Commission. Private Acts 2001, chapter 7, designates the Morristown Utilities Commission to manage all municipal utilities except sewers and provides for membership, terms of office, powers and duties, etc. of the commissioners.<sup>2</sup> (1979 Code, § 13-101, modified)

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<sup>1</sup>Charter references

- (1) Eminent domain and other powers of the electric light and waterworks system: § 20A.
- (2) Extension of water and light facilities: § 21.
- (3) Sewer connections; authority to prohibit cesspools, privies, etc.: § 5(27)

Private Acts references

- (1) Extension of waterworks system: Private Acts 1907, ch. 255.
- (2) Sewerage system--powers of city relative to, etc.: Priv. Acts 1955, ch. 371.

Municipal code references

- Building and utility, etc. codes: title 12.  
Water and sewers: title 18.  
Gas: title 19.  
Cable television: title 9, chapter 3.

<sup>2</sup>Priv. Acts 2001, ch. 7, is incorporated into related Priv. Acts 1901, ch. 392 which can be found on page C-55 of the Morristown Charter.