

**Town of Thompson's Station
Board of Mayor and Aldermen
Meeting Agenda
November 13, 2018**

Meeting Called To Order

Pledge Of Allegiance

Minutes-

Consideration Of The October 9, 2018 Regular Meeting Minutes

Documents:

[10092018 MINUTES.PDF](#)

Public Comments-

Unfinished Business:

1. Wastewater Request

a. Parsons Valley

Documents:

[PARSONS VALLEY COSENTINI BOMA MEMO 11.08.17.PDF](#)
[PARSONS VALLEY CONCEPT PLAN W-SPRAY FIELDS 09.12.18.PDF](#)
[PARSONS VALLEY_ALT SEWER SYSTEM COVER LETTER
09.13.18.PDF](#)
[PARONS VALLEY ALT SEWER STUDY 11.03.17.PDF](#)

2. First Reading Of Ordinance 2018-016: An Amendment To Ordinance 06-015 To Replace The Code Of Ethics Policy In The Municipal Code.

Documents:

[2018.10.03 ETHICS COVER ORDINANCE.PDF](#)
[2018.10.03 CODE OF ETHICS JTM COMMENTS.PDF](#)
[CODE OF ETHICS - DILKS VERSION.PDF](#)

3. BOMA Consideration Of An RFQ (Request For Qualifications) To Conduct A Road Impact Fee Study And Develop A Recommendation For An Update To The Impact Fees.

Documents:

[RFQ - IMPACT FEES.PDF](#)

New Business:

4. Resolution 2018-022: A Resolution Of The Board Of Mayor And Aldermen Of The Town Of Thompson's Station, Tennessee To Approve A Right-Of-Way Utility Easement Within Preservation Park For The MTEMC Underground Service Line

Documents:

[RESO 2018-022 MTEMC EASEMENT.PDF](#)
[MTEMC EASEMENT AGREEMENT.PDF](#)
[1600 TSRW EX.PDF](#)

5. First Reading Of Ordinance 2018-018: An Ordinance Of The Board Of Mayor And Aldermen Of The Town Of Thompson's Station, Tennessee To Close And Abandon A Portion Of Baugh Road.

Documents:

[ORDINANCE 2018-018 BAUGH ROAD.PDF](#)
[BAUGH ROAD EXHIBIT.PDF](#)

6. First Reading Of Ordinance 2018-017: An Ordinance Of The Board Of Mayor And Aldermen Of The Town Of Thompson's Station, Tennessee To Approve A Revised Plan For The Event Venue At 4520 Graystone Quarry Lane (Off Of Harpeth School Road) And To Approve Graystone's Draft State Wastewater Operating Permit.

Documents:

[GRAYSTONE STAFF REPORT.PDF](#)
[ORDINANCE 2018-017 GRAYSTONE WASTEWATER.PDF](#)

7. Resolution 2018-024: A Resolution Of The Board Of Mayor And Aldermen Of The Town Of Thompson's Station To Amend Its 457 Retirement Plan To Permit Hardship Loans

Documents:

[RESO 2018-024 457 AGREEMENT AMENDMENT.PDF](#)
[SAMPLE LOAN PROGRAM.PDF](#)

8. Resolution 2018-025: A Resolution Of The Board Of Mayor And Aldermen Of The Town Of Thompson's Station, Tennessee To Approve A Contract Addendum With Barge Design Solutions, Inc. For On-Call Engineering And Consulting Services And To Authorize The Mayor To Sign The Contract.

Documents:

[RESO 2018-025 BARGE ON CALL.PDF](#)
[TSTATION_ONCALL_ADDENDUM1.PDF](#)

Adjourn

Announcements/Agenda Requests

Information Only:

Finance Report

Documents:

[FINANCE REPORT.PDF](#)

Building Report

Documents:

[BUILDING REPORT.PDF](#)

*This meeting will be held at 7:00 p.m. at Thompson's Station Community Center
1555 Thompson's Station Road West*

Town of Thompson's Station
Board of Mayor and Aldermen
Minutes of the Meeting
October 9, 2018

Call to Order.

The meeting of the Board of Mayor and Aldermen of the Town of Thompson's Station was called to order at 7:00 p.m. on Tuesday, October 9, 2018 with the required quorum. Members and staff in attendance were: Mayor Corey Napier; Alderman Brandon Bell; Alderman Ben Dilks; Alderman Graham Shepard; Alderman Brian Stover; Town Clerk Jennifer Jones; Town Planner Wendy Deats; Town Attorney Todd Moore and Assistant Town Administrator David Coleman.

Pledge of Allegiance.

BOMA appointment of new Parks Board member

Mayor Napier recommended that Miriam Wiggins be appointed to the Parks Board.

After discussion, Alderman Stover made a motion to appoint Miriam Wiggins to the Parks Board. The motion was seconded and carried by all.

Consideration of Minutes. The minutes of the September 11, 2018 regular meeting were presented.

After discussion, Alderman Dilks made a motion to accept the minutes as amended. The motion was seconded and carried by all.

Public Comments:

Kreis White – 1837 Thompson's Station Rd West – Presented a Recall Ordinance to the Board.

Mike Roberts – 1810 Thompson's Station Rd. West – Discussed various wastewater concerns and wants a more permanent solution to fix the overall problem instead of a temporary solution.

Steve Hockett – 1795 Thompson's Station Rd. West – Voiced concerns over sewer treatment options and repair strategies.

Unfinished Business:

1. **Barge Wastewater Presentation** – Matthew Johnson with Barge Waggoner presented a slide show summary of the Wastewater Master Plan.
2. **Wastewater Request** –
 - a. **Tri-Star**
 - b. **Holt**

After discussion, Alderman Stover made a motion to defer both the Tri-Star and Holt Wastewater requests to the January 2019 meeting. The motion was seconded and carried by all.

c. Littlebury

Daniel Wood with Great Southern Land Company came forward to speak on behalf of the applicant.

After discussion, Alderman Shepard made a motion to approve the wastewater request for Littlebury. The motion was seconded and carried by all.

d. Parsons Valley

Khris Pascarella with Pearl Street Partners came forward to speak on behalf of the applicant.

After discussion, Alderman Dilks made a motion to defer the wastewater request to November 2018 for Parsons Valley. The motion was seconded and carried by all.

e. Graystone Quarry

Rick McEachern with Graystone Quarry came forward to speak on his behalf.

After discussion, Alderman Stover made a motion to approve a Preliminary System from the Tennessee Department of Environment and Conservation. The motion was seconded and carried by all.

3. Public Hearing and Second Reading of Ordinance 2018-014: An Ordinance of the Town of Thompson's Station, Tennessee to amend Sections 1.2.6 The Transect; 1.3 Definitions; and 4.5.2 General Transect Zone Restrictions in the Land Development Ordinance.

Mrs. Deats gave her report and read the Placemakers memo to the Board.
The Mayor then opened the Public Hearing.

Greg Gamble – Gamble Design Collaborative – The proposed changes to the LDO will make development extremely difficult and is against the proposed changes.

Doug Darby – 109 Winslow Rd. – Owner of several parcels on Columbia Pike and against the proposed changes.

The Mayor then closed the Public Hearing.

After discussion, Alderman Stover made a motion to defer second reading of Ordinance 2018-014, an Ordinance of the Town of Thompson's Station, Tennessee to amend Sections 1.2.6 The Transect; 1.3 Definitions; and 4.5.2 General Transect Zone Restrictions in the Land Development Ordinance until the February 2019 BOMA meeting in order to enable a work session with Placemakers. The motion

was seconded and carried by all.

4. Discussion related to Cell 1 repair and possible Resolution 2018-019.

The Board discussed having Bruce Meyer with Schaffer International start getting bids for a complete cleanout of Cell 1, including an analysis of soil and have a separate bid process for draining and repair.

New Business:

5. First Reading of Ordinance 2018-016, an amendment to Ordinance 06-015, An Ordinance adopting the Code of Ethics policy into the Town Charter.

After discussion, Alderman Dilks made a motion to approve First Reading of Ordinance 2018-016 and consider comments by the Town Attorney and set second reading for the November 13th BOMA meeting. The motion was seconded and failed by a vote of 2 to 2 with Mayor Napier and Alderman Stover casting the dissenting votes.

After further discussion, Alderman Dilks made a motion to defer First Reading of Ordinance 2018-016 until the November BOMA meeting. The motion was seconded and carried by all.

6. Discussion of impact fees.

After discussion, Alderman Shepard made a motion to request that Staff produce a Request for Qualifications for an Impact Fee Study. The motion was seconded and carried by all.

Adjourn

There being no further business, the meeting was adjourned at 9:32 p.m.

Corey Napier, Mayor

Jennifer Jones, Town Recorder

Phone: (615) 794-4333
Fax: (615) 794-3313
www.thompsons-station.com



1550 Thompson's Station Road W.
P.O. Box 100
Thompson's Station, TN 37179

MEMO

DATE: November 8, 2017
TO: The Board of Mayor and Aldermen (BOMA)
FROM: Joe Cosentini, Town Administrator
SUBJECT: Lutheran Church Property Wastewater Request

The Town has received a wastewater request for a residential subdivision located south of Thompson's Station Road East off of Columbia Pike. The request is to deviate from the Town's "system of choice" and construct an onsite sequencing batch reactor plant manufactured by Aqua Aerobics, Inc.

The ability of the Board to consider the request falls under the Town's Water and Sewers ordinance which states the following:

18-106. Ownership. All of the components of the wastewater reclamation and reuse system, including the collection system, shall be dedicated, owned and operated by the Town of Thompson's Station or a designated agent.

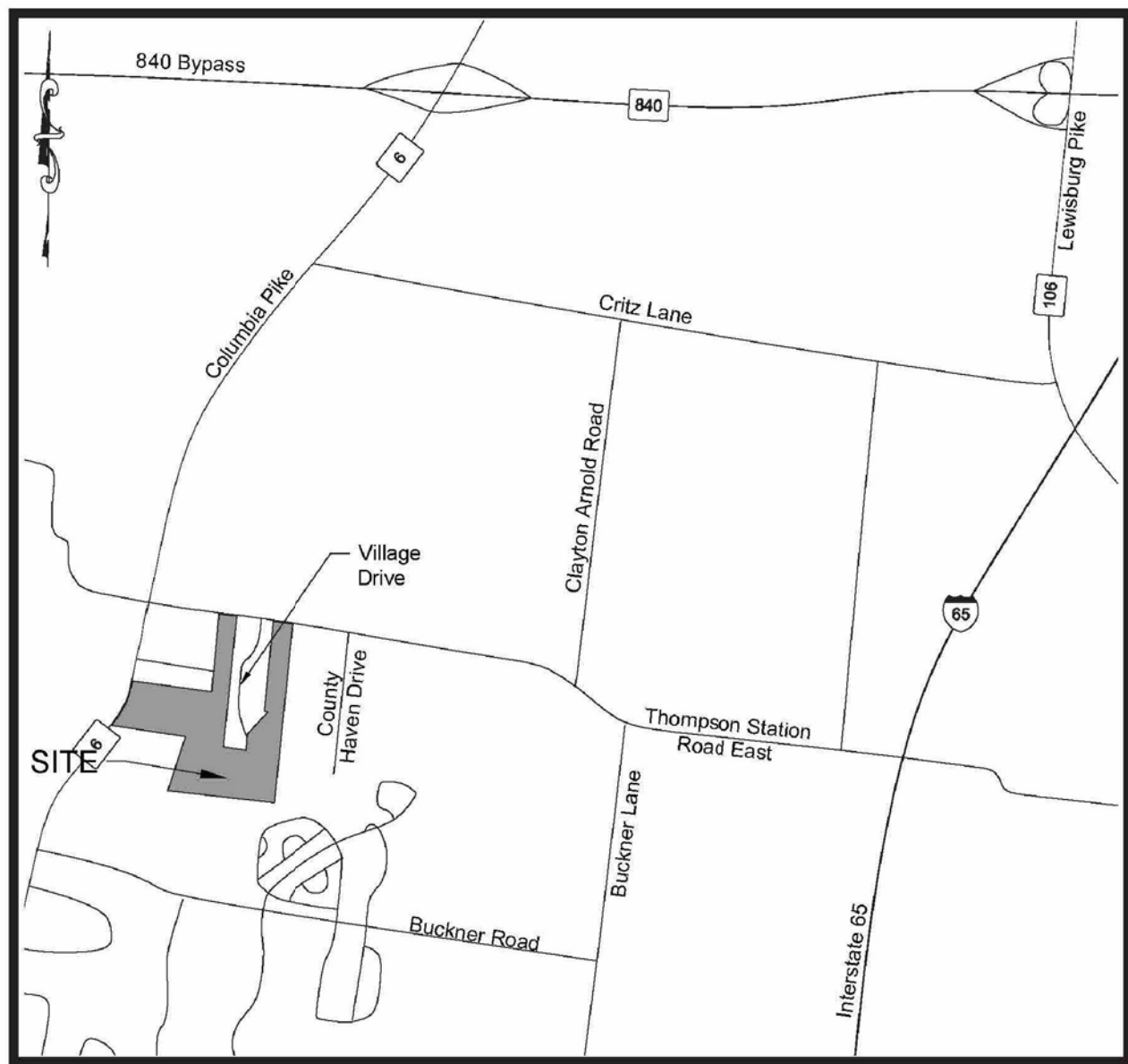
18-130. Applicability. The Town has selected deep cell, long duration aerated lagoon treatment followed by irrigation as its wastewater reclamation and reuse system of choice. Use of systems other than the above will not be prohibited, but will be considered when a developer shows that the use of the system of choice will cause an economic hardship. If a developer proposes to use other wastewater treatment processes, they shall prepare a detailed written explanation containing both technical, and capital and operating cost evaluations justifying its use. Final approval of all systems shall lie with the mayor and board of aldermen of the town.

The request includes cost estimates for the construction of both a deep cell lagoon and the proposed SBR system. The biggest difference being the necessary land for the treatment system (SBR 0.5 acres, Lagoon 10 acres). The preliminary concept plan shows approximately 12.38 acres for drip/spray fields which will have to be verified through the preliminary engineering process when submitted to the Tennessee Department of Environment and Conservation (TDEC) for the State Operating Permit (SOP) request. The acreage shown would accommodate the proposed treatment capacity for the development (100,000 gpd minimum).

Aqua Aerobics is a well known name in the wastewater industry and has been researched by the Town in the past during similar wastewater requests. Staff is comfortable with the requested technology and, if BOMA agrees, recommends allowing the applicant to proceed with developing a preliminary engineering report for staff review and submittal to TDEC. Once the SOP is received, the applicant will be able to prepare full engineering documents and will have to appear before the BOMA again for final approval prior to construction. If constructed, the plant will be owned and operated by the Town.

BOMA Action:

Approve the selected technology and allow for the submittal of a State Operating Permit.



LOCATION MAP

VARIANCE REQUEST:
 THE APPLICANT RESPECTFULLY REQUESTS A VARIANCE TO ARTICLE 3.8.3 "BLOCK STANDARDS" OF THE ZONING CODE TO EXEMPT THE REQUIRED 800' BLOCK LENGTH FROM PROPOSED BLOCKS THAT ARE LOCATED ALONG THE PERIMETER OF THE PROPERTY PER ARTICLE 3.8.3 (D). THE APPLICANT REQUESTS THAT ROADS 'A', 'B', 'G', AND 'H' ARE WAIVED FROM THIS REQUIREMENT DUE TO BEING LOCATED ADJACENT TO "UNDEVELOPED LAND, AREAS UNSUITABLE FOR DEVELOPMENT, OR PRE-EXISTING INCOMPLETE BLOCKS".

SITE DATA

PROJECT NAME: PARSONS VALLEY
 SITE AREA: +/- 118.83 ACRES
 SITE ID: PARCEL 23, TAX MAP 153
 ZONING: D-3
 SECTOR: G1 & G2
 PROPOSED COMMUNITY TYPE: RESIDENTIAL SUBDIVISION

RESIDENTIAL SUBDIVISION DEVELOPMENT STANDARDS ZONING DISTRICTS - REQUIREMENTS

T1 OR T2 (OPEN SPACE) 45% (53.47 AC)
 T1 - AREA PROPOSED 49% (58.16 AC)
 CIVIC SPACE 5% - 10% (5.94 - 11.88 AC)
 *ALSO COUNTED TOWARDS T1/T2 REQUIREMENT
 CIVIC SPACE - AREA PROPOSED 5.6% (+/- 6.64 AC)

MAX. DENSITY 3 UNITS/ACRE (356 UNITS)
 PROPOSED DENSITY 2.77 UNITS/ACRE (329 UNITS)

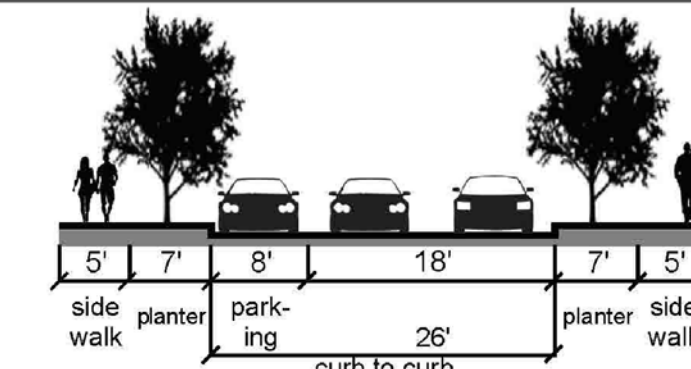
LOT STANDARDS
 PRIMARY FRONTAGE 10' MIN.
 SECONDARY FRONTAGE 10' MIN.
 SIDE LOT LINE AGGREGATE 15' TOTAL, 5 FT. MIN.
 REAR LOT LINE 20'
 LOT WIDTH 50' MIN.
 TOWNHOME LOT WIDTH 20' MIN.

LOT BREAKDOWN

(V) VILLAGE LOTS 50' X 140' 16 UNITS
 (TH) TOWNHOMES 22' X 85' 123 UNITS
 (G) GARDEN LOTS 57' X 111' 35 LOTS
 (C) COTTAGE LOTS 57' X 125' 155 LOTS
 TOTAL LOTS 329

POOL AREA

+/- 20,000 SQ. FT.
 OUTDOOR RECREATION AREA
 34 PARKING SPACES REQUIRED
 40 PARKING SPACES PROVIDED (ON-STREET)

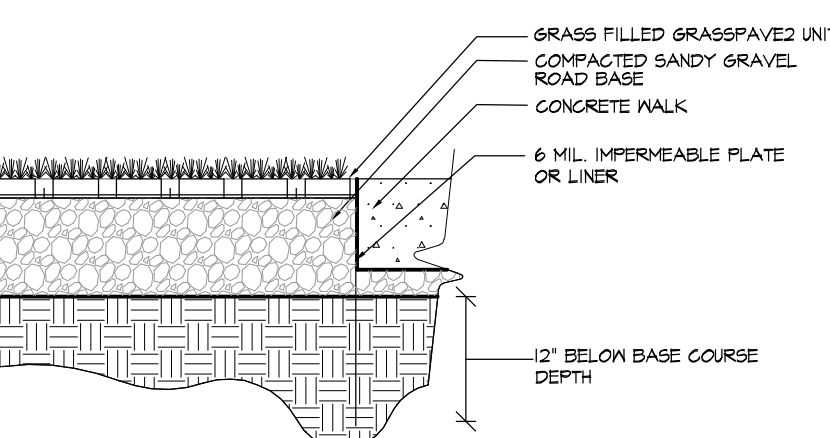
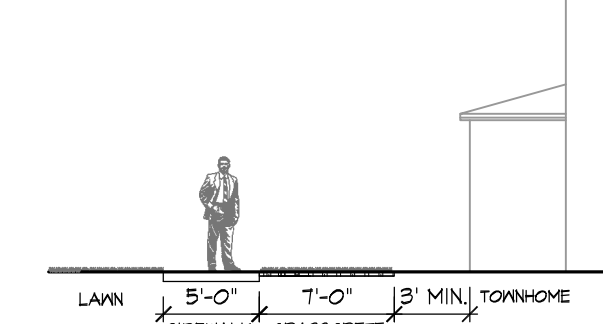


Street: ST-50-26

Row Width	50 ft.
Design Speed	20 mph
Design ADT	1,000 VPD
Curb-to-Curb Width	26 feet
Maximum Grade	10%
Minimum Curve Radius	100 feet
Curb Return Radius	15 feet
Clear Sight Distance	20' along local street from end of curb radius
Zoning Districts	T3, T4
Functional Classification	Local
Green Street Provisions	Pervious pavers and/or bioswales and/or inverted crown French drain

PROPOSED STREET SECTION

THE PROPOSED STREET SECTION "ST-50-26" IS PROPOSED TO CONNECT TO THE EXISTING STUB-OUTS LOCATED ON THE ADJACENT "STATION SOUTH" AND "VILLAGE AT THOMPSON'S STATION" DEVELOPMENTS. (THESE DEVELOPMENTS DO NOT CONTAIN WALKS AND/OR TRAILS HOWEVER). IN ADDITION, 16' PEDESTRIAN PASSAGES ARE LOCATED THROUGHOUT THE DEVELOPMENT TO ALLOW ACCESS TO OPEN SPACES.



PROPOSED FIRE ACCESS DETAIL AND SECTION

LEGEND

- PLAYGROUND
- 15% - 25% SLOPES
- 25% & GREATER SLOPES
- HILLTOP PROTECTION AREA
- DISTANCE TO PLAYGROUND
- BLOCK LENGTH

0' 100' 200' 400'

NORTH

EDGE
 ENERGY LAND & INFRASTRUCTURE
 210 Twelfth Avenue South
 Suite 202
 Nashville, Tennessee 37203
 P 615-250-8154
 F 615-250-8155

ENERGY LAND & INFRASTRUCTURE
 1420 DONNELSON PIKE, SUITE 402 - NASHVILLE, TN 37203
 OFFICE 615-383-6300 • WWW.ELI-LLC.COM
 ENGINEERS • SURVEYORS • INFRASTRUCTURE • ENVIRONMENTAL

DAVID HAA'S, JR.
 REGISTERED ARCHITECT
 LANDSCAPE ARCHITECT
 09/14/18

**PARSONS VALLEY
 CONCEPT PLAN SUBMITTAL
 4738 COLUMBIA PIKE
 THOMPSON'S STATION, TN**

**PEARL STREET PARTNERS LLC.
 BRENTWOOD, TN.**

PROJECT NO. XXXXX
 Date 09/14/18
 Revisions

Sheet Title
CONCEPT PLAN
 Sheet Number
C-1.0

September 13, 2018

Town of Thompson's Station
Attn: Mayor Corey Napier
1550 Thompson's Station Road West
Thompson's Station, TN 37179

RE: Parsons Valley revised plan - spray field

I herein request to be placed on the agenda for the October meeting of the Board of Mayor and Alderman in order to gain approval for an on-site sewer solution for the Parsons Valley project.

Given the feedback we've been provided regarding the probability and timing of any municipal sewer solution for our site, and after several discussions with staff, it was determined that an onsite sanitary sewer solution was the best course of action. There has been precedence for this with two other approvals over the past year and we believe our situation merits approval as well. We are requesting BOMA's approval to proceed with a master plan that will meet all of the city and state requirements for an onsite sanitary sewer system.

Please feel free to contact me with any questions or comments.

Sincerely,

A handwritten signature in black ink, appearing to read 'JDH', with a large loop at the end.

John D. Haas, ASLA
Principal - EDGE Planning, Landscape Architecture & Urban Design

Cc: Wendy Deats

WESTERMAN ENGINEERING, LLC

Consulting Engineering

680 Tucker Road
Dickson, Tennessee 37055
Telephone: 615-375-6054

Website: WESTENGR.COM

NEAL WESTERMAN, P.E.

November 3, 2017

Mr. Joe Consentini
Town Administrator
P. O. Box 100
Thompson's Station TN 37179

**Re: Lutheran Church Site
Proposed Development
Alternative Sewer System**

Dear Mr. Consentini,

I herein request to be placed on the agenda for the November meeting of the Board of Mayor and Alderman to present an alternative sewer treatment system for the Residential Subdivision at the above referenced site.

The system to be presented is a sequencing batch reactor (SBR) manufactured by Aqua Aerobics, Inc. These systems have been constructed in Tennessee, with some existing for 20+ years. The system is capable of meeting nutrient limits, where required, although drip irrigation disposal of effluent does not require that level of treatment. An SBR will fit on a much smaller foot print than a deep cell lagoon and adapts to varying terrains.

The SBR will require 0.5 acre to construct and terrain can be sloping or level. Attached you will find the Preliminary Design Calculations and O & M estimate for the SBR proposed from the manufacturer Aqua Aerobics, The SBR treatment system does not have the land buffer requirements of an Aerated Lagoon and therefore can be easier located on the site. A preliminary cost estimate is also enclosed for an SBR treatment plant including the value of the land. Estimated power costs for the SBR is less than \$20,000 per year.

Enclosed please find an excerpt from Chapter 9 of the TDEC design Criteria indicating the buffer requirements and location per the prevailing wind for an aerated lagoon or pond. Please note the requirement to place an aerated lagoon or pond 300 feet from adjacent property lines and 1000 feet from residential structures. It also recommends that a lagoon be placed where the prevailing wind will be in the direction of uninhabited areas. For a regional plant this requirement can be met by careful site selection. For a small treatment plant serving a single subdivision the condition cannot be met. An aerated lagoon such as exists in Thompson's Station requires much more

aeration power to keep the lagoon mixed and reduce odors than an SBR. Seasonal turnovers are still a possibility in an aerated lagoon. The aerated lagoon system for this property will require nearly 10 acres not including buffers. Estimated power cost for a partial mix lagoon is approximately \$42,000 per year and a complete mix is \$105,000 per year. The Shaffer lagoon should be somewhere within this range. Land required for the lagoon is 7-10 acres depending on terrain, plus buffers as required by TDEC. A preliminary cost estimate is attached.

Attached you find a brochure for an Aqua Aerobic AquaCAM-D, which is the proposed technology.

Thanks you for your consideration

WESTERMAN ENGINEERING, LLC



Neal Westerman, P. E.
neal@westengr.com



AQUA-AEROBIC SYSTEMS, INC.
A Metawater Company

Process Design Report

THOMPSONS STATION TN

Design# 149787

Option: Preliminary SBR Design (AquaCAMD)

AquaCAM-D®

Combination

Aerator/Mixer/Decanter



November 1, 2017

Designed By: Mike Nora

Design Notes

Pre-SBR

- Elevated concentration of Hydrogen Sulfide can be detrimental to both civil and mechanical structures. If anaerobic conditions exist in the collection system, steps should be taken to eliminate Hydrogen Sulfide prior to the treatment system.
- Neutralization is recommended/required ahead of the SBR if the pH is expected to fall outside of 6.5-8.5 for significant durations.
- Coarse solids removal/reduction is recommended prior to the SBR.
- Flow equalization is required ahead of the SBR to provide interruption of flow during the non-fill phases (React, Settle and Decant).

SBR

- The maximum flow, as shown on the design, has been assumed as a hydraulic maximum and does not represent an additional organic load.
- The decanter performance is based upon a free-air discharge following the valve and immediately adjacent to the basin. Actual decanter performance depends upon the complete installation including specific liquid and piping elevations and any associated field piping losses to the final point of discharge. Modification of the high water level, low water level, centerline of discharge, and / or cycle structure may be required to achieve discharge of full batch volume based on actual site installation specifics.

Aeration

- The aeration system has been designed to provide 1.25 lbs. O₂/lb. BOD₅ applied and 4.6 lbs. O₂/lb. TKN applied at the design average loading conditions.
- No oxygen credits have been taken with respect to carbon stabilization through denitrification or nitrogen uptake as a nutrient.

Digester

- Supernatant withdraw is to be provided by others.

Process/Site

- The anticipated effluent TN requirement is predicated upon an influent waste temperature of 10° C or greater. While lower temperatures may be acceptable for a short-term duration, nitrification below 10° C can be unpredictable, requiring special operator attention.
- Sufficient alkalinity is required for nitrification, as approximately 7.1 mg alkalinity (as CaCO₃) is required for every mg of NH₃-N nitrified. If the raw water alkalinity cannot support this consumption, while maintaining a residual concentration of 50 mg/l, supplemental alkalinity shall be provided (by others).
- The maximum flow has been assumed to be equal to the average flow.

Post-SBR

- Effluent flow equalization follows the AquaSBR process.
- Provisions should be made for a post-equalization basin overflow. (by others)

Equipment

- The basin dimensions reported on the design have been assumed based upon the required volumes and assumed basin geometry. Actual basin geometry may be circular, square, rectangular or sloped with construction materials including concrete, steel or earthen.
- Rectangular or sloped basin construction with length to width ratios greater than 1.5:1 may require alterations in the equipment recommendation.
- The basins are not included and shall be provided by others.
- Influent is assumed to enter the reactor above the waterline, located appropriately to avoid proximity to the decanter, splashing or direct discharge in the immediate vicinity of other equipment.
- If the influent is to be located submerged below the waterline, adequate hydraulic capacity shall be made in the headworks to prevent backflow from one reactor to the other during transition of influent.
- A minimum freeboard of 2.0 ft is recommended for the AquaCAM-D
- A minimum freeboard of 3.0 ft is recommended for Aqua-Jet aeration.
- Scope of supply includes freight, installation supervision and start-up services.
- The control panel does not include motor starters or VFDs, which should be provided in a separate MCC (by others).
- Aqua-Aerobic Systems, Inc. is familiar with various "Buy American" Acts (i.e. AIS, ARRA, Federal FAR 52.225, EXIM Bank, USAid, PA Steel Products Act, etc.). As the project develops Aqua-Aerobic Systems can work with you to ensure full compliance of our goods with various Buy American provisions if they are applicable/required for the project. When applicable, please provide us with the specifics of the project's "Buy American" provisions.

AquaSBR - Sequencing Batch Reactor - Design Summary

DESIGN INFLUENT CONDITIONS

Avg. Design Flow = 0.1 MGD = 379 m3/day
 Max Design Flow = 0.1 MGD = 379 m3/day

DESIGN PARAMETERS	Influent	mg/l	Effluent			
			Required	<= mg/l	Anticipated	<= mg/l
Bio/Chem Oxygen Demand:	BOD5	250	BOD5	30	BOD5	30
Total Suspended Solids:	TSS	250	TSS	30	TSS	30
Total Kjeldahl Nitrogen:	TKN	40	--	--	--	--
Total Nitrogen:	--	--	TN	10	TN	10

SITE CONDITIONS

	Maximum		Minimum		Design		Elevation (MSL)
Ambient Air Temperatures:	85 F	29.4 C	30 F	-1.1 C	85 F	29.4 C	801 ft
Influent Waste Temperatures:	72 F	22.0 C	54 F	12.0 C	72 F	22.0 C	244.1 m

SBR BASIN DESIGN VALUES

	Water Depth			Basin Vol./Basin		
No./Basin Geometry:	= 2 Rectangular Basin(s)	Min	= 13.5 ft = (4.1 m)	Min	= 0.038 MG	= (145.1 m ³)
Freeboard:	= 2.0 ft = (0.6 m)	Avg	= 17.0 ft = (5.2 m)	Avg	= 0.048 MG	= (182.9 m ³)
Length of Basin:	= 20.0 ft = (6.1 m)	Max	= 17.0 ft = (5.2 m)	Max	= 0.048 MG	= (182.9 m ³)
Width of Basin:	= 19.0 ft = (5.8 m)					

Number of Cycles: = 5 per Day/Basin (advances cycles beyond MDF)

Cycle Duration: = 4.8 Hours/Cycle

Food/Mass (F/M) ratio: = 0.072 lbs. BOD5/lb. MLSS-Day

MLSS Concentration: = 4500 mg/l @ Min. Water Depth

Hydraulic Retention Time: = 0.966 Days @ Avg. Water Depth

Solids Retention Time: = 16.1 Days

Est. Net Sludge Yield: = 0.737 lbs. WAS/lb. BOD5

Est. Dry Solids Produced: = 153.6 lbs. WAS/Day = (69.7 kg/Day)

Est. Solids Flow Rate: = 40 GPM (1842 GAL/Day) = (7.0 m³/Day)

Decant Flow Rate @ MDF: = 192.0 GPM (as avg. from high to low water level) = (12.1 l/sec)

LWL to CenterLine Discharge: = 1.0 ft = (0.3 m)

Lbs. O2/lb. BOD5 = 1.25

Lbs. O2/lb. TKN = 4.60

Actual Oxygen Required: = 414 lbs./Day = (187.8 kg/Day)

Avg. Power Required: = 563.3 KW-Hrs/Day

Post-Equalization - Design Summary

POST-SBR EQUALIZATION DESIGN PARAMETERS

Avg. Daily Flow (ADF):	= 0.1 MGD	= (379 m ³ /day)
Max. Daily Flow (MDF):	= 0.1 MGD	= (379 m ³ /day)
Decant Flow Rate from (Qd):	= 192 gpm	= (0.7 m ³ /M)
Decant Duration (Td):	= 52 min	
Number Decants/Day:	= 10	
Time Between Start of Decants:	= 144 min	

POST-SBR EQUALIZATION VOLUME DETERMINATION

The volume required for equalization/storage shall be provided between the high and the low water levels of the basin(s). This Storage Volume (Vs) has been determined by the following:

$$V_s = [(Q_d - (MDF \times 694.4)) \times T_d] = 6,373 \text{ gal} = (852.0 \text{ ft}^3) = (24.1 \text{ m}^3)$$

The volumes determined in this summary reflect the minimum volumes necessary to achieve the desired results based upon the input provided to Aqua. If other hydraulic conditions exist that are not mentioned in this design summary or associated design notes, additional volume may be warranted.

Based upon liquid level inputs from each SBR reactor prior to decant, the rate of discharge from the Post-SBR Equalization basin shall be pre-determined to establish the proper number of pumps to be operated (or the correct valve position in the case of gravity flow). Level indication in the Post-SBR Equalization basin(s) shall override equipment operation.

POST-SBR EQUALIZATION BASIN DESIGN VALUES

No./Basin Geometry:	= 1 Rectangular Basin(s)			
Length of Basin:	= 19.0 ft	= (5.8 m)		
Width of Basin:	= 15.0 ft	= (4.6 m)		
Min. Water Depth:	= 1.5 ft	= (0.5 m)	Min. Basin Vol. Basin:	= 3,197.7 gal = (12.1 m ³)
Max. Water Depth:	= 4.5 ft	= (1.4 m)	Max. Basin Vol. Basin:	= 9,570.6 gal = (36.2 m ³)

POST-SBR EQUALIZATION EQUIPMENT CRITERIA

Mixing Energy with Aerators:	= 15 HP/MG	= (3 W/m ³)
NPHP Provided:	= 1	= (0.7 kW)
Max. Flow Rate Required Basin:	= 69 gpm	= (0.263 m ³ /min)
Avg. Power Required:	= 24.3 kW-hr/day	

Aerobic Digester - Design Summary

AEROBIC DIGESTER DESIGN PARAMETERS

Sludge Flowrate to the Digester	= 1,842.5 gal/day	= (7.0 m ³ /day)
Inlet Sludge Concentration	= 1.00%	
Solids Loading to the Digester	= 153.7 lb/day	= (69.7 kg/day)
Inlet Volatile Solids Fraction	= 73.1%	

AEROBIC DIGESTER BASIN DESIGN VALUES

No./Basin Geometry:	= 1 Square Basin(s)			
Length of Basin:	= 21 ft	= (6.4 m)		
Width of Basin:	= 21 ft	= (6.4 m)		
Min. Water Depth:	= 6.3 ft	= (1.9 m)	Min. Basin Vol. Basin:	= 20,781.7 gal = (78.7 m ³)
Max. Water Depth:	= 9 ft	= (2.7 m)	Max. Basin Vol. Basin:	= 29,688.2 gal = (112.4 m ³)

AEROBIC DIGESTER PROCESS DESIGN PARAMETERS

Solids Retention Time:	= 32.2 days	
Digester Design Temperature:	= 22 C	
Volatile Solids Destruction:	= 41%	
Digester Solids Concentration:	= 2%	
Oxygen Supplied for Digestion:	= 2.00 lbs O ₂ per lb VSS Destroyed	
Oxygen Distribution Per Basin:	= 100.0%	
Actual Oxygen Required:	= 92.1 lb/day	= (41.8 kg/day)
Volatile Percentage After Digestion:	= 61.6%	
Estimated Dry Solids to be Removed:	= 107.6 lb/day	= (48.8 kg/day)
Volume of Solids to be Removed:	= 645.1 gal/day	= (2.44 m ³ /day)
Estimated Supernatant Volume:	= 8,906.4 gal/basin	= (33.71 m ³ /basin)
Assumed Supernatant Duration:	= 180 minutes	
Calculated Supernatant Flow:	= 49.5 gpm	= (3.1 l/sec)

1. The Volatile Solids Destruction listed above shall be used for determination of the oxygen demand during summer conditions. It should be noted that the actual VSS destruction will be dependant upon digester inlet condition, temperature, and operating conditions.
2. The Digester Solids Concentration is reflected as an average concentration, assuming the operations include frequent settling and supernating practices.

AEROBIC DIGESTER EQUIPMENT CRITERIA

Mixing Energy with Aerators:	= 140 HP/MG	= (27.58 W/m ³)
NPHP Provided:	= 5.0	= (3.7 kW)
Max. Flow Rate Required Basin:	= 40 gpm	= (0.151 m ³ /min)
Avg. Power Required:	= 82.38 kW-hr/day	

Equipment Summary

AquaSBR

Influent Valves

2 Influent Valve(s) will be provided as follows:

- 3 inch electrically operated plug valve(s).

Transfer Pumps/Valves

2 Submersible pump assembly(ies) consisting of the following items:

- 2.4 HP Submersible Pump(s) with painted cast iron pump housing, discharge elbow, and multi-conductor electrical cable.
- Manual plug valve(s).
- 3 inch diameter swing check valve.
- Galvanized steel slide rail assembly(ies).

AquaCam-D

2 AQUACAM-D Assembly(ies) consisting of:

- 25 HP Aerator/Mixer/Decanter(s) with fiberglass floats, painted steel power section, and 304 stainless steel restrained mooring frame and weir.
- Aluminum band clamp heater integral to the decanter power section(s).
- 6 inch diameter decant hose assembly.
- 4" schedule 40 galvanized restrained mooring post(s) with base plate.
- #8 AWG four-conductor electrical service cable(s).
- #14 AWG ten-conductor electrical service cable(s).
- 6 inch electrically operated butterfly valve(s) with actuator.

Level Sensor Assemblies

2 Pressure Transducer Assembly(ies) each consisting of:

- Submersible pressure transducer(s).
- Mounting bracket weldment(s).
- Transducer mounting pipe weldment(s).

2 Level Sensor Assembly(ies) will be provided as follows:

- Float switch(es).
- Float switch mounting bracket(s).
- Stainless steel anchors.

Instrumentation

2 Dissolved Oxygen Assembly(ies) consisting of:

- Thermo Fisher RDO dissolved oxygen probe with electric cable. Probe includes stainless steel stationary bracket and retrievable pole probe mounting assembly. One (1) probe per basin.
- Thermo Fisher AV38 controller and display module(s).

AquaSBR: Post-Equalization

Transfer Pumps/Valves

2 Submersible pump assembly(ies) consisting of the following items:

- 2.4 HP Submersible Pump(s) with painted cast iron pump housing, discharge elbow, and multi-conductor electrical cable.
- Manual plug valve(s).
- 3 inch diameter swing check valve.
- Galvanized steel slide rail assembly(ies).

Aerators

1 AquaJet Aerator(s) will be provided as follows:

- 1 HP Model FSS Aqua-Jet Aerator(s) including electrical cable.

Aerator Mooring

1 Aerator Restrained Mooring Assembly(ies) consisting of:

- Galvanized steel restrained mooring frame(s).
- #12 AWG-four conductor electrical service cable(s).
- Vinyl electrical cable float(s).
- Electrical cable strain relief grip(s), 2 eye, wire mesh.
- 4" Schedule 40 galvanized restrained mooring post(s) with base plate.

Level Sensor Assemblies

1 Pressure Transducer Assembly(ies) each consisting of:

- Submersible pressure transducer(s).
- Mounting bracket weldment(s).
- Transducer mounting pipe weldment(s).

1 Level Sensor Assembly(ies) will be provided as follows:

- Float switch(es).
- Float switch mounting bracket(s).
- Stainless steel anchors.

AquaSBR: Aerobic Digester

Transfer Pumps/Valves

1 Submersible pump assembly(ies) consisting of the following items:

- 2.4 HP Submersible Pump(s) with painted cast iron pump housing, discharge elbow, and multi-conductor electrical cable.
- Manual plug valve(s).
- 3 inch diameter swing check valve.
- Galvanized steel slide rail assembly(ies).

Aerators

1 AquaJet Aerator(s) will be provided as follows:

- 5 HP Model FSS Aqua-Jet Aerator(s) including electrical cable.

Aerator Mooring

1 Aerator Restrained Mooring Assembly(ies) consisting of:

- Galvanized steel restrained mooring frame(s).
- #12 AWG-four conductor electrical service cable(s).
- Vinyl electrical cable float(s).
- Electrical cable strain relief grip(s), 2 eye, wire mesh.
- 4" Schedule 40 galvanized restrained mooring post(s) with base plate.
- Dewatering frame assembly(ies).

Level Sensor Assemblies

1 Pressure Transducer Assembly(ies) each consisting of:

- Submersible pressure transducer(s).
- Mounting bracket weldment(s).
- Transducer mounting pipe weldment(s).

1 Level Sensor Assembly(ies) will be provided as follows:

- Float switch(es).

- Float switch mounting bracket(s).
- Stainless steel anchors.

Controls

Controls wo/Starters

1 Controls Package(s) will be provided as follows:

- NEMA 12 panel enclosure suitable for indoor installation and constructed of painted steel.
- Fuse(s) and fuse block(s).
- Allen Bradley Compactlogix programmable controller.
- Operator interface(s).
- Remote Access Ethernet Modem.



**Estimated Operation & Maintenance Costs
for Thompsons Station, TN
Design No. 149787 dated 11-1-2017**

Qty	Unit	Service Required	Cost/Unit	1 Year	3 Year	5 Year
2	SBR AquaCam-D	Motor grease: per year	\$ 4.00	\$ 8.00		
2	SBR AquaCam-D	Actuator,Capacitor,Limit Switch replacement /3 yrs	\$ 719.00		\$ 1,438.00	
2	SBR Sludge Pump	Repair kit	\$ 229.00			\$ 458.00
1	Digester Aqua-Jet Aerator	Motor grease: per year	\$ 4.00	\$ 4.00		
1	Digester Sludge Pump	Repair kit	\$ 229.00			\$ 229.00
1	Post-EQ Aqua-Jet Aerator	Motor grease: per year	\$ 4.00	\$ 4.00		
2	Post-EQ Transfer Pump	Repair kit	\$ 229.00			\$ 458.00
1	Controller	Replace Relays, Switches, Fuses /Year	\$ 50.00	\$ 50.00		
1	Controller	Replace Microprocessor Battery One/3 Years	\$ 26.00		\$ 26.00	

EQUIPMENT TOTALS:	1 Year	3 Year	5 Year
	\$ 66.00	\$ 1,464.00	\$ 1,145.00

Power Costs of all equipment as proposed: **

670 = Kilowatt hours/day Estimated \$/kwhr \$ 0.08 \$ 19,564

Estimated General Operation & Maintenance***

23.5 = Man Hours/week for Process Testing
4 = Man Hours/week for General Plant Cleanup and Routine Maintenance

Notes

* Stand-by blower unit included in estimate for budget purposes. Maintenance costs of stand-by unit may be reduced based upon the actual hours of operation.
 ** This is based upon operation at 100% of design conditions.
 ***The values listed are for estimating purposes only. The actual amount of operator attention provided will be dependent upon local requirements and the size of the staff available for testing.
 All estimates are based upon equipment maintenance and operation in accordance with the O & M instructions provided by Aqua-Aerobic Systems. They are based on typical SBR Installations with a normal preventative maintenance schedule for the equipment. The actual maintenance man hours required for each project will vary depending upon site and climate conditions, which may alter the frequency of the maintenance schedule.

WESTERMAN ENGINEERING, LLC

Consulting Engineering
680 Tucker Road
Dickson, Tennessee 37055
Telephone: 615-375-6054

Website: WESTENGR.COM

NEAL WESTERMAN, P.E.

PEARL STREET PARTNERS
SEQUENCING BATCH REACTOR SEWER TREATMENT PLANT
PRELIMINARY COST ESTIMATE
10/31/2017

<u>DESCRIPTION</u>	<u>ESTIMATED COSTS</u>
CLEARING, FINISH GRADING AND SEEDING	\$ 7,500
EXCAVATION 3,500 CY @ \$ 5.00	17,500
MISCELLANEOUS METALS	25,000
WET WEATHER DETENTION TANK.	400,000
HEADWORKS	50,000
SBR EQUIPMENT	300,000
CONCRETE TANKS	300,000
YARD PIPING	50,000
ULTRAVIOLET DISINFECTION	30,000
INFLUENT FLOW METER & EFFLUENT METER	20,000
ELECTRICAL	225,000
DRIP IRRIGATION	200,000
FENCING	7,500
CONTRACTORS OVERHEAD AND PROFIT	<u>325,000</u>
TOTAL ESTIMATED CONSTRUCTION	\$ 1,957,500
ENGINEERING	196,000
INSPECTION	50,000
OTHER ENGINEERING	
SURVEYING & GEOLOGIC	10,000
LEGAL	500
TDEC REVIEW FEE	1,200
CONTINGENCY (5%)	<u>110,800</u>
TOTAL ESTIMATED PROJECT COSTS	\$ 2,326,000
LANT REQUIRED 0.5 ACRE @ \$50,00/ ACRE	\$ 25,000

9.3 Special Details

9.3.1 General

9.3.1.1 Location

a. Distance from Habitation

A pond site should be located as far as practicable from habitation or any area that may be built up within a reasonable future period, taking into consideration site specifics such as topography, prevailing winds, and forests. Buffer zones between the lagoon and residences or similar land use should be at least 300 feet to residential property lines, and 1000 feet to existing residence structures.

b. Prevailing Winds

If practical, ponds should be located so that local prevailing winds will be in the direction of uninhabited areas. Preference should be given to sites that will permit an unobstructed wind sweep across the length of the ponds in the direction of the local prevailing winds.

c. Surface Runoff

Location of ponds in watersheds receiving significant amounts of runoff water is discouraged unless adequate provisions are made to divert storm water around the ponds and protect pond embankments from erosion.

WESTERMAN ENGINEERING, LLC

Consulting Engineering
680 Tucker Road
Dickson, Tennessee 37055
Telephone: 615-375-6054

Website: WESTENGR.COM

NEAL WESTERMAN, P.E.

**PEARL STREET PARTNERS
LAGOON SEWER TREATMENT PLANT
PRELIMINARY COST ESTIMATE
10/31/2017**

<u>DESCRIPTION</u>	<u>ESTIMATED COSTS</u>
CLEARING, FINISH GRADING AND SEEDING	\$ 25,000
EXCAVATION 35,000 CY @ \$ 20.00	700,000
FILL FOR DIKES 15,000 CY @ \$ 8.00	120,000
LINER 27,000 SY @ \$ 8.00	216,000
HEADWORKS	150,000
BLOWERS	50,000
AERATION	50,000
YARD PIPING	40,000
CHLORINE BUILDING, CHLORINATOR, CONTACT BASIN, AND FILTER	120,000
INFLUENT FLOW METER & EFFLUENT METER	20,000
ELECTRICAL	150,000
DRIP IRRIGATION	200,000
FENCING	25,000
CONTRACTORS OVERHEAD AND PROFIT	<u>368,200</u>
TOTAL ESTIMATED CONSTRUCTION	\$ 2,234,200
ENGINEERING	223,000
INSPECTION	50,000
OTHER ENGINEERING	
SURVEYING & GEOLOGIC	10,000
LEGAL	500
TDEC REVIEW FEE	1,200
CONTINGENCY (5%)	<u>126,100</u>
TOTAL ESTIMATED PROJECT COSTS	\$ 2,645,000
LAND REQUIRED 10 ACRES @ \$50,000/ACRE	\$ 500,000



AQUA-AEROBIC SYSTEMS, INC.

AquaCAM-D[®]

COMBINATION AERATOR/MIXER/DECANTER

AquaCAM-D®

COMBINATION AERATOR/MIXER/DECANTER

The AquaCAM-D® is a combination aerator/mixer/decanter designed for use in sequencing batch reactor systems (SBRs), treating flows as low as a few thousand gallons per day up to 100,000 gallons per day. The unit independently aerates and mixes the reactor to achieve anaerobic, anoxic and aerobic environments, while offering subsurface decanting of the final effluent. These capabilities make the AquaCAM-D ideal for low level phosphorus and total nitrogen applications. The unit has proven performance in a variety of municipal and industrial applications for both pretreatment and secondary wastewater treatment.

Features and Advantages

- Economical Enhanced Biological Nutrient Removal for Lower Flows
- Simple, Low Cost Installation
- Surface Accessible Components
- Proven Aqua-Aerobic Decanter
- Modular Design Promotes Easy Expansion
- Flexible Tank Options
- No Aeration Yard Piping or Blower Buildings
- Ideal for Cold Climates



Overview of the AquaCAM-D® unit in a SBR reactor.

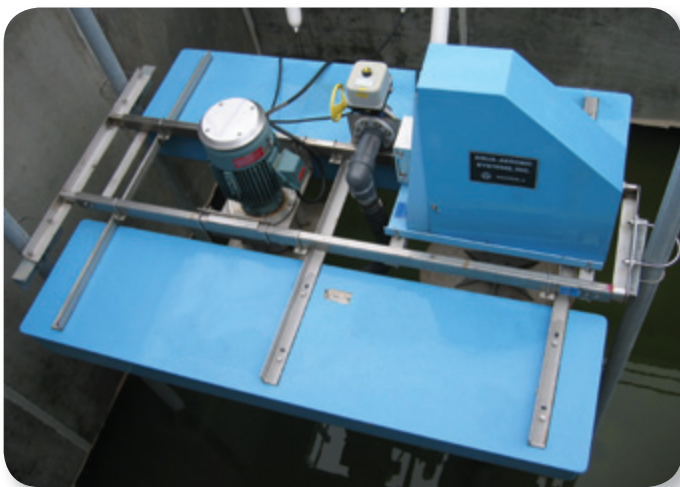
Typical Applications

- Schools
- Residential Subdivisions
- Shopping Malls
- Parks, Camps, and Resorts
- Mobile Home Parks
- Nursing Homes
- Landfill Leachate
- Industrial Wastewater

Operation Description

High velocity movement of water through the air induction volute creates a pressure differential. Atmospheric air is drawn into the volute through the air intake port and forcefully discharged into the basin, enhancing oxygen transfer. By opening the unit's electrically operated air valve, the Aqua CAM-D is operated as an aerator. Closing the air valve enables the unit to operate as a mixer, allowing for anoxic mixing during selected phases of the SBR cycle. Following the Settle phase of the SBR cycle, the submerged weir of the decanter opens and draws clear effluent from below the water surface. The AquaCAM-D is then ready to begin its next cycle of treatment.

Operation of the unit is controlled by a microprocessor with automatic level overrides to control the system during conditions of greater than peak flow.



Close-up view of the AquaCAM-D® system.

Visit our website to learn more about the AquaCAM-D® system and our complete line of products and services.

ORDINANCE NO. 2018-016

**AN ORDINANCE OF THE TOWN OF THOMPSON'S STATION,
TENNESSEE, TO AMEND TITLE 1, CHAPTER 3 OF THE MUNICIPAL
CODE AND ADOPT A NEW CODE OF ETHICS**

WHEREAS, the Board of Mayor and Aldermen has determined that it is in the best interest of the Town to adopt a new Code of Ethics.

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

Section 1. That Title 1 of the Municipal Code, *General Administration*, is hereby amended by deleting Chapter 3 in its entirety and replacing with Exhibit A attached hereto and incorporated herein by reference.

Section 2. All Prior Conflicting Ordinances Repealed; Interpretation. That upon the effective date of this ordinance, all prior ordinances and resolutions in conflict herewith be repealed. In case of conflict between this ordinance or any part hereof, and the whole or part of any existing ordinance of the Town, the provision that establishes the higher standard shall be controlling.

Section 3. Severability. If any section, sentence, clause or phrase of this ordinance should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause, or phrase of this ordinance.

Section 4. Effective date; applicability. This ordinance shall take effect upon publication in a newspaper of general circulation within the Town after final reading, the public welfare requiring.

Duly approved and adopted by the Board of Mayor and Aldermen of the Town of Thompson's Station, Tennessee.

Corey Napier, Mayor

ATTEST:

Jennifer Jones, Town Recorder

Passed First Reading: _____

Passed Second Reading: _____

Submitted to Public Hearing on the ____ day of _____ 2018, at 7:00 p.m., after being advertised in the *Williamson AM* Newspaper on the ____ day of _____, 2018.

APPROVED AS TO FORM AND LEGALITY:

Todd Moore, Town Attorney

Attorney Moore's comments

Formatted: Left

Formatted: Justified

Formatted: Font: Bold, Italic, Font color: Red

Exhibit "A"

1-301. Declaration of Policy, Purpose, and Obligations

The proper operation of Thompson's Station's government requires that its public officials and employees act as fiduciaries entrusted with and responsible for the property and resources of the community; that they make governmental decisions and policies in the proper channels of the government structure, free of coercive or other improper influence; that they use their position in the best interests of the town rather than for personal interests, whether their own interests or those of their family, friends, or business associates; and that they do not, directly or indirectly, in a positive or negative sense, treat anyone preferentially, that is, other than in a manner generally accorded to town residents.

It is central to gaining and retaining the public's trust in our town's government that public servants seek to avoid even the appearance of impropriety. Fulfilling one's role as public servant sometimes means sacrificing rather than gaining opportunities.

This code focuses on conflicts of interest, which affect the decisions of government officials and employees in ways that are unfair both to the community and to individuals and entities who lack special relationships with our town's officials. When public servants make decisions that are not or do not appear to be impartial, this seriously undermines public confidence in government.

While the vast majority of municipal officials are well-meaning, being well-meaning is not enough. It is important that officials understand the conflicts they confront every day, appreciate their fiduciary obligations to town residents, and recognize the importance of preventing conflicts from occurring, disclosing conflicts when they arise, and withdrawing from any involvement in a matter where they have a conflict.

Nothing is more important to public trust than having public servants err on the side of disclosing every possible conflict and withdrawing from participation even where they feel certain they can act impartially.

The purposes of this ethics code are to provide:

- (a) Standards of ethical conduct - especially those dealing with conflicts between personal interests and those of the town - for town officials, employees, consultants, candidates, and those who do business with the town;
- (b) Clear, consistent guidance with respect to such standards by clarifying which acts are allowed and which are not;
- (c) Public confidence in the integrity of our town's governance and administration;
- (d) For the consideration of potential ethical problems before they arise, to minimize unwarranted suspicion and to enhance the accountability of our town's government to town residents; and
- (e) For the fair and effective administration and enforcement of this code.

There is more to ethical conduct than what is covered by this code, which consists primarily of enforceable rules about conflicts of interest, and procedures for enforcing the rules and providing ethics

advice. The town must also provide a healthy ethics environment with positive means of encouraging ethical behavior among its public servants. Individuals - especially community leaders - must commit themselves to dealing responsibly with their conflict situations.

Ethical conduct depends on thinking about one's acts not in terms of what is politically popular, best for oneself and one's colleagues, or even most effective and efficient, but in terms of what is in the best interests of the town. Ethics is not just about enforceable rules, but also about democratic ideals and aspirational goals. Central to ethical action is respect for town residents (treating them as ends rather than as means) as well as self-respect (integrity, expecting the best of oneself).

This code is enacted pursuant to Section 8-17-103 of the State of Tennessee and is not intended to authorize any conduct prohibited by that section.

1-3026. Definitions.

Unless otherwise stated or unless the context otherwise requires, when used in this code:

1. To "appear" or "appear before" means to communicate in any form, including, without limitation, personally, through another person, by letter, or by telephone. This definition also applies to the noun form, "appearance."
2. "Consultant" means an independent contractor or professional person or entity engaged by the town or advising a town official, and in a position to influence a town decision or action, or have access to confidential information.
3. "Customer or client" in 1-300 means (a) any person or entity to which a person or entity has supplied goods or services during the previous twenty-four months, having, in the aggregate, a value greater than \$1,000, or (b) any person or entity to which an official's outside employer or business has supplied goods or services during the previous twenty-four months, having, in the aggregate, a value greater than \$1,000, but only if the official knows or has reason to know the outside employer or business supplied the goods or services.
4. "Domestic partner" is an adult, unrelated by blood, with whom an unmarried or separated official has an exclusive committed relationship, maintains a mutual residence, and shares basic living expenses.
5. "Financial benefit" includes any money, service, license, permit, contract, authorization, loan, discount, travel, entertainment, hospitality, gratuity, or any promise of any of these, or anything else of value. This term does not include campaign contributions authorized by law. A "financial interest" is a relationship to something such that a direct or indirect financial benefit has been, will be, or might be received as a result of it.
6. A "gift" is a financial benefit received or given without equivalent compensation. However, a financial benefit received or given on terms available to the general public is not a gift.
7. "Household" includes anyone whose primary residence is in the official's home, including non-relatives who are not rent payers or servants.
8. An "interest in a contract" is a relationship to a contract such that a direct or indirect financial or other material benefit has been, will be, or might be received as a result of that contract. The official does not need to be a party to the contract to have an interest in it. Indirect benefit includes a benefit to the official's family or outside business or employer.
9. "Ministerial act" means an action performed in a prescribed manner without the exercise of judgment or discretion as to the propriety of the act. An example of a ministerial act is the granting of a marriage business license by a town clerk.
10. "Official" means any official or employee of the town, whether paid or unpaid, and includes all members of an office, board, body, advisory board, council, commission, agency, department,

district, administration, division, bureau, committee, or subcommittee of the town, as well as of an affiliated independent office or agency or quasi-public or public-private body. The term also includes candidates for office and elected candidates prior to the time they take office, as well as anyone engaged in the performance of a governmental function.

11. "Outside employer or business" includes:

- i. any substantial business activity other than service to the town;
- ii. any entity, other than the town, of which the official is a member, official, director, or employee, and from which he or she receives compensation for services rendered or goods sold or produced;
- iii. any entity located in the town or which does business with the town, in which the official has an ownership interest, except a public corporation in which the official's ownership interest is the lesser of (i) stock valued at less than \$50,000 or (ii) five percent of the outstanding stock; and
- iv. any entity to which the official owes, or by which the official is owed, more than \$10,000, either in the form of a note, a bond, a loan, or any other financial instrument.

For purposes of this definition, "compensation" does not include reimbursement for necessary expenses, including travel expenses.

12. "Personal benefit" includes benefits other than those that are directly financially advantageous. These include financial benefits to relatives, business associates, and others listed in ~~100(1)~~, as well as non-financial benefits to these people and to oneself, including such things as reputation and the success of one's career. A "personal interest" means a relationship to something such that a personal benefit has been, will be, or might be obtained by certain action or inaction with respect to it.
13. "Relative" means a spouse, child, step-child, brother, sister, parent or step-parent, or a person claimed as a dependent on the official's latest individual state income tax return.
14. "Subordinate" means another official over whose activities an official has direction, supervision or control.

1-3031. General Conflict of Interest Provisions.

1. Conflict of Interest.

- (a) An official may not use his or her position, or take or fail to take any action, or influence others to take or fail to take any action, in a manner which he or she knows, or has reason to believe, may result in a personal or financial benefit, not shared with a substantial segment of the town's population, for any of the following persons or entities (no group of government employees may be considered "a substantial segment" for the purposes of this provision):

1. himself or herself;
2. a member of his or her household, including a domestic partner and his or her dependents, or the employer or business of any of these people;
3. a sibling or step-sibling, step-child or foster child, parent or step-parent, niece or nephew, uncle or aunt, or grandparent or grandchild of either himself or herself, or of his or her spouse or domestic partner, or the employer or business of any of these people;
4. a person with which he or she has a financial or business relationship, including but not limited to a(n):
 - i. outside employer or business of his or hers, or of his or her spouse or domestic partner, or someone who works for such outside employer or business;

Commented [TM1]: Decisions related to subdivisions in which an official resides or owns property?

- ii. client or substantial customer;
 - iii. substantial debtor or creditor of his or hers, or of his or her spouse or domestic partner.
5. a person or entity to or from whom the official has given or received an election campaign contribution (including in-kind or donations of time and other resources) during the past election cycle. This amount includes contributions from a person's immediate family or business as well as contributions from an entity's owners, directors, or officers;
 6. a nongovernmental civic group, union, social, charitable, or religious organization of which he or she (or his or her spouse or domestic partner) is an officer or director.
- (b) The prohibition in (a) above applies equally to attempts to use, act, or influence.
- (c) It is a violation of this code for an official to award a contract or participate in a matter benefiting a person or entity that **formerly employed him or her**.

Commented [TM2]: Consider a time limit – employed by him or her within past 2 or 5 years?

2. Withdrawal from Participation

- (a) An official must refrain from acting on or discussing, formally or **informally**, a matter before the town, if acting on the matter, or failing to **act on** the matter, may personally or financially benefit any of the persons or entities listed in subsection 1(a) of this section.
- (b) If a board or agency member is requested to withdraw from participation in a matter, for the reason that he or she has a conflict of interest, the member must decide whether to withdraw. If the member decides not to withdraw, the unchallenged members must consider **any relevant evidence** concerning such claimed conflict of interest, as defined in this code, and vote whether or not to allow the request and require that the member withdraw from participating in the matter.
- (c) Withdrawal at a meeting requires the public announcement, on the record, of the reason for withdrawal. Withdrawal outside of a meeting requires disclosure in writing of the reason for withdrawal to the official's supervisor
- (d) Ongoing Conflict: An interest can **require more than extenuating two separate issues** must resign or cease activity.
- (e) Rule of Necessity: If a board with less than a quorum capable of acting, members must disclose their conflicts on the public record, but they may then vote. If an official is the only person authorized by law to act, the official must disclose the nature and circumstances of the conflict to the Ethics Officer and ask for a waiver or advisory opinion.

Commented [TM3]: Does this prohibit an individual from speaking to/commenting on an issue as a citizen of the Town even if they abstain from discussions and votes at meetings?

Commented [TM4]: What are parameters of collecting evidence? Investigations required before votes?

Commented [TM5]: Does the reason given have to justify withdrawal? What happens if it doesn't.

[Grab your reader's attention with a great quote from the document or use this space to emphasize a key point. To place this text box anywhere on the page, just drag it.]

official whose conflict of reasonably be expected to sporadic withdrawal (barring circumstances, no more than in a twelve month period) such outside employment or

Commented [TM6]: On all issues coming before the Town? I don't think the ordinance may require a resignation of an elected official from recusing themselves from votes on issues where they have conflicts of interest.

3. Gifts

- (a) An official, his or her spouse or domestic partner, child or step-child, parent, or member of his or her household, may not solicit nor accept anything of value, directly or indirectly, from any person or entity that the official knows, or has reason to believe, has received or sought a financial benefit, directly or through a relationship with another person or entity, from the town within the previous three years, or intends to seek a financial benefit in the future ("restricted source"). If in doubt, the official should refrain from soliciting or refuse a gift, and should first inquire into the person or entity's relationship with the town or with a restricted source. [or: If

the official does not know whether a person or entity fits this description, he or she should inquire and, if it is discovered that the person or entity does fit this description, the gift should be returned (or its monetary value if it cannot be returned) and no further gifts accepted during the relevant period.]

- (b) A person or entity that has, in the last three years, received or sought, or is seeking, a financial benefit, directly or indirectly, from the town, may not give or seek to give anything of value to any official.
- (c) Gifts of property, money, or services given nominally to the town must be accepted by a resolution of the legislative body.

Commented [TM7]: Considering a minimum value – ex. over \$500

5. Representation

- (a) An official may not represent any other person or entity before the town, nor in any matter not before the town, but against the interests of the town. However, it is acceptable for elected officials to represent constituents without compensation in matters of public advocacy.

6. Appearances

- (a) An official may not appear before any town department, agency, board or commission, except on his or her own behalf or on behalf of the town. Every time an official appears before the meeting of any municipal body, or when he or she writes a letter to the editor or other publicly distributed writing, he or she is required to disclose before speaking or clearly on the writing whether he or she is appearing in an official capacity or as a private citizen. If the speech or writing is in response to criticism or other communication directed at or regarding his or her official role, the official may respond only in his or her official role. It is acceptable for elected officials to appear or argue on behalf of constituents in matters of public advocacy.
- (b) Appointed or volunteer members of any town boards and commissions may represent persons and entities before, or appear before, any town department, agency, board, or commission other than their own.

7. Confidential Information

- (a) An official, a former official, a contractor or a consultant may not use confidential information, obtained formally or informally as part of his or her work for the town or due to his or her position with the town, for his or her own benefit or for the benefit of any other person or entity, or make such information available in a manner where it would be reasonably foreseeable that a person or entity would benefit from it.

8. Political Solicitation

- (a) An official, employee, or municipal candidate may not knowingly request, or authorize anyone else to request, that any subordinate or potential future subordinate, participate or not participate in any political activity, including the making of a campaign contribution. Nor may he or she engage in any political activity while on duty for the town, with the use of town funds, supplies, vehicles, or facilities, in uniform, or during any period of time during which he or she is normally expected to perform services for the town for which compensation is paid.

9. Patronage

- (a) No official may promise an appointment or the use of his or her influence to obtain an appointment to any position as a reward for any political activity or contribution.

10. Post-Employment

(a) **Representation.** For a period of two years after the termination of his or her town service or employment, an official may not, on behalf of any other person, for compensation, directly or indirectly, formally or informally, act as agent, attorney, lobbyist, or other sort of representative, to or before his or her former agency, department, authority, board, or commission. For the purposes of this provision, any board member, town administrator or assistant administrator, or town planner is deemed to have worked for every town department, agency, authority, board, and commission. Acting indirectly includes action by a partner, associate, and other professional employee of an entity in which the former official is a partner, associate, or professional employee, as well as acting by a member of the former official's immediate family.

Commented [TM8]: I do not think this would be enforceable against a former employee or official that later represent themselves or another entity before a public board.

(b) **Employment.** An official, or a member of his or her immediate family, may not accept employment with, or with the help of, (a) a party to a contract with the town, within two years after the contract was signed, when he or she participated personally and substantially in the preparation, negotiation, or award of the contract, and the contract obliged the town to pay an aggregate of at least \$25,000; or (b) an individual or entity who has, within the previous two years, benefited directly from any decision made by, or based on advice or information supplied by, the official or by a subordinate. An elected or appointed official, or a member of his or her immediate family, may not accept employment if the body of which he or she is a member or was a member within the previous two years had any role in filling the job, including an advisory role. A board member, or a member of his or her immediate family, may not, for two years after termination of town service or employment, accept any full-time compensated position with the town. For the purposes of this section, "employment" includes full-time and part-time jobs, and professional and other work for hire, given directly or indirectly.

Commented [TM9]: Again, not sure how Town can enforce against former employee or official.

(c) **Exceptions.** Former officials and employees are not prohibited from acting if he or she is:

1. Working for the town on a volunteer basis;
2. Acting on behalf of another federal, state, or local government;
3. Giving testimony under oath and is not being compensated for it;
4. Providing scientific or technological information at the government's request;
5. Performing only ministerial acts.

(d) **Waivers.** The Board of Mayor and Alderman may waive the prohibitions of this provision via unanimous vote if it determines that the situation does not create a potential for undue influence, unfair advantage, or a serious appearance of impropriety.

11. Misuse of Town Property and Reimbursements

(a) An official may not use, or permit others to use, any town funds, property, or personnel for profit or for personal convenience or benefit, except when:

1. available to the public generally, or to a class of residents, on the same terms and conditions;
2. permitted by policies approved by the local legislative body, or;
3. in the conduct of official business, used in a minor way for personal convenience.

12. Nepotism

(a) No official may appoint or hire, or participate in influencing the appointment or hiring of, his or her spouse or domestic partner, child or step-child, sibling or step-sibling, parent, or member of his or her household for any type of employment, including by contract (unless competitively bid), with the town. No official may supervise or be in a direct line of supervision over his or her spouse or domestic partner, child or step-child, sibling or step-sibling, parent, member of his or her household. If an official comes into a direct line of supervision over one of these persons, he or she will have six months to come into compliance or to obtain a waiver.

13. Transactions with Subordinates

- (a) No official may engage in a financial transaction, including the giving or receiving of loans or monetary contributions, including charitable contributions, with a subordinate or person or business over which, in the official's official duties and responsibilities, he or she exercises supervisory responsibility, unless
 1. the financial transaction is in the normal course of a regular commercial business or occupation, or
 2. the financial transaction involves a charitable event or fundraising activity which is the subject of general sponsorship by a state or municipal agency through official action by a governing body or the highest official of state or municipal government.

14. Fees and Honorariums

- (a) No official may accept a fee or honorarium for an article, for an appearance or speech, or for participation at an event, in his or her official capacity. However, he or she may receive payment or reimbursement for necessary expenses related to any such activity.

15. Endorsements

- (a) No official in his or her official capacity may publicly endorse products or services. However, this does not prohibit an official from answering inquiries by other governmental officials, consumer organizations, or product information services regarding products or services.

16. Consultants

- (a) ~~A consultant may not represent a person or entity other than the town in any matter, transaction, action, or proceeding in which the consultant participated personally and substantially as a consultant to the town. Nor may a consultant represent a person or entity in any matter, transaction, action, or proceeding against the interest of the town.~~

Commented [TM10]: Consider giving BOMA authority to waive if beneficial to the Town

17. Complicity with or Knowledge of Others' Violations

- (a) ~~No one may, directly or indirectly, induce, encourage, or aid anyone to violate any provision of this code. If an official suspects that someone has violated this code, he or she is required to report it to the relevant individual, either the employee's supervisor, the board on which the official sits or before which the official is appearing or will soon appear, or the Town Attorney, if the violation is past or if it is not immediately relevant to a decision, to discussion, or to actions or transactions.~~
- (b) ~~Anyone who reports a violation in good faith will be protected by the provisions of 1-310.~~

18. Falsely Impugning Reputation

- (a) An official may not falsely impugn the reputation of a town resident. If an official believes his or her accusation to be true, and then learns that it was false, even in part, he or she should apologize in the same forum the accusations were made or if the same forum is not practical, on the record at a public town meeting. A failure to apologize within a reasonable period of time after learning of the falseness of the accusations will create the presumption that the conduct was fully intentional.

19. Meeting Attendance

- (a) All members of boards and commissions are expected to attend their meetings. It is a violation of this code to miss more than a third of a board or commission's meetings, including work and special session meetings, in a twelve-month period.

20. Honesty in Applications for Positions

- (a) No person seeking to become an official, consultant or contractor may make any false statement, submit any false document, or knowingly withhold information about wrongdoing in connection with employment by or service for the town.

1-3042. Exclusions from the Code of Ethics and from Transactional Disclosure.

The provisions section 1-3031 of this code do not require withdrawal or transactional disclosure as a result of:

- (a) An action specifically authorized by statute, rule, or regulation of the State of Tennessee or of the United States.
- (b) A ministerial act.
- (c) Gifts received by the official:
 - 1. from his or her parent, spouse or domestic partner, child or step-child, or sibling or step-sibling;
 - 2. or his or her spouse or domestic partner, child or step-child, parent, and member of his or her household, from a person or entity (any person who works for or is otherwise related to an entity is considered as having given on behalf of that entity), having an aggregate value of \$50 or less during any twelve-month period;
 - 3. accepted on behalf of the town and transferred to the town pursuant to 100(4)(b).
- (d) Gifts or financial benefits having a value of \$50 or less that are received by a town official for the solemnization of a marriage officiated by that official at a place other than his or her normal public place of business and at a time other than his or her normal work hours.
- (e) Public awards from charitable organizations having a value of \$100 or less.

1-3053. Advisory Opinions.

- (a) Upon the written request of any official, including former officials and employees whose position was terminated within three years as well as people who intend to soon become an official, as well as any candidate, consultant, or person or entity doing business with the town, or person or entity doing business with or seeking a special benefit from the town, or intending to soon do so, the Ethics Officer must render, within fifteen days after the date of the request, a written advisory opinion with respect to the interpretation or application of this Code with respect to future actions only. If an earlier response is desired, or if the Ethics Officer determines that the situation does not require a formal advisory opinion, an informal verbal or e-mail opinion will be provided by the Ethics Officer. No one but the Ethics Officer may provide official ethics advice; any other advice is not binding and does not protect the advisee.
- (b) Any person or entity may request informal advice from the Ethics Officer about any situation, including hypothetical situations, but such advice is not binding and there are no time requirements.

Commented [TM11]: Consider having BOMA approve advisory opinions to individuals that are not current Town employees or officials.

1-3064. Void Contracts.

- (a) Any contract, permit, or other transaction entered into by or with the town which results in or from a violation of any provision of section 1-301 of this code is void, without further action taken, unless ratified by the town's legislative body in an open session held after applicable

Commented [TM12]: We will want to include this language in all future contracts if adopted.

public notice. Such ratification does not affect the imposition of any penalties pursuant to this code or any other provision of law.

1-3075. Penalties for Violation of This Code.

1. Resignation, Compensatory Action, Apology

Violation of any provision of this code should raise conscientious questions for the official concerned as to whether a sincere apology, compensatory action, or resignation is appropriate to promote the best interests of the town and to prevent the cost - in time, money, and emotion - of an investigation and hearings.

2. Disciplinary Action.

Any person or entity that is found to have engaged in action or inaction that violates any provision of this code may be reprimanded via suspension, removal, or be subject to any other sanction or remedy authorized by law.

3. Civil Fine.

Any person or entity that violates any provision of this code may be subject to a civil fine of up to ~~\$2,000~~\$50 for each violation, payable to the town. A civil fine may be imposed in addition to any other penalty authorized by this code or by law.

4. Damages.

Any person or entity that violates any provision of this code is liable in damages to the town for any losses or increased costs incurred by the town as a result of the violation. Such damages may be imposed in addition to any other penalty authorized by this code or by law.

1-3086. Debarment.

- (a) Any person or entity that intentionally or knowingly violates any provision of this code, in more than a de minimis manner, as well as any entity owned by such person or entity or by an owner of the entity in violation, is prohibited from entering into any contract with the town for a period not to exceed three years.
- (b) Nothing in this section may be construed to prohibit any person or entity from receiving a service or benefit, or from using a facility, which is generally available to the public.
- (c) Under this section, a corporation, partnership, or other entity is not vicariously liable for the actions of an employee. A corporation, partnership, or other entity is not debarred because of the actions of an employee unless the employee acted in the execution of company policy or custom, or with knowledge of one or more company officers. A store, region, division, or other unit of an entity is not debarred because of the actions of an employee of that unit unless the employee acted at the direction, or with the actual knowledge or approval, of the manager of the unit.

1-3097. Injunctive Relief.

- (a) Any resident, official, or employee of the town may initiate an action or special proceeding, as appropriate, in a court of appropriate jurisdiction for injunctive relief to enjoin any person or entity from violating this code or to compel any person or entity to comply with the provisions of this code. In lieu of, or in addition to, injunctive relief, the action or special proceeding, as appropriate, may seek a declaratory judgment.

- (b) No action or special proceeding may be prosecuted or maintained pursuant to subsection 1 of this section, unless (a) the plaintiff or petitioner has filed with the Ethics Officer a complaint alleging the violation, (b) it is alleged in the complaint or petition filed with the court that at least six months have elapsed since the filing of the complaint with the Ethics Officer, and that the Ethics Officer has failed to issue a determination in the matter, and (c) the action or special proceeding is filed within ten months after the alleged violation occurred.

1-30108. Whistle-Blower Protection.

- (a) Neither the town nor any person, including officials and employees, may take or threaten to take, directly or indirectly, official or personal action, including but not limited to discharge, discipline, personal attack, harassment, intimidation, or change in job, salary, or responsibilities, against any official, employee, or other person (or against any member of their family) because that person, or a person acting on his or her behalf, (a) reports, verbally or in writing, or files a complaint with the Ethics Officer regarding an alleged violation of this code, or (b) is requested by the Ethics Officer to participate in an investigation, hearing, or inquiry, or is involved in a court action relating either to the alleged violation or to evidence presented or given as part of an Ethics Officer investigation. The provisions of this section are not applicable when the complainant, witness, or reporter of a violation made accusations or other statements that were malicious and false. A violation of this section is a violation of this code.
- (b) Anyone who alleges a violation of subsection (a) may bring a civil action for appropriate injunctive relief, or actual damages, or both within ninety days after the occurrence of the alleged violation. A court may order reinstatement of the plaintiff to such a suit, or the payment of back wages, full reinstatement of fringe benefits and seniority rights, actual damages, or any combination of these remedies. A court may also award the plaintiff all or a portion of the costs of litigation, including reasonable attorney fees and witness fees. The initiation of such litigation is not a violation of the confidentiality provisions.

1-30119. Advisory Opinions.

- (a) Upon the written request the Ethics Officer must render within 15 days a written advisory opinion with respect to the interpretation or application of this Code with respect to future actions only. If an earlier response is desired, or if the Ethics Officer determines that the situation does not require a formal advisory opinion, a mailed, or e-mailed opinion will be provided by the Ethics Officer. No one but the Ethics Officer or Officer may provide ethics advice; any other advice is not binding on the Ethics Officer and does not protect the advisee.
- (b) Any person or entity may request informal, verbal advice from the Ethics Officer about any situation, including hypothetical situations, but such advice is not binding and there are no time requirements.
- (c) Unless otherwise appointed by the BOMA, the Town Attorney will serve as the Ethics Officer. The Ethics Officer's phone number and e-mail address will be made available on the Town's website. The Ethics Officer's informal opinions may be relied upon, in good faith, but will not be binding upon the Town or upon the person making the request.
- (d) The Town Attorney can request that a different Ethics Officer be appointed to fulfill duties on any particular issue.
- (e) An advisory opinion rendered by the Ethics Officer, until and unless amended or revoked, is binding upon the Ethics Officer in any subsequent proceeding concerning the person or entity that requested the opinion, or to which the advisory opinion referred, and acted in good faith,

Commented [TM13]: As drafted, could keep the Ethics Officer, Town Attorney very busy.

Commented [TM14]:

Commented [TM15]: From whom?

- unless the requester omitted or misstated a material fact in requesting the advisory opinion. The advisory opinion may also be used as a defense in any civil action brought by the town.
- (f) A written advisory opinion is also binding on an official, employee, candidate, contractor or other person under the Ethics Officer's jurisdiction to whom it directly applies. If the Ethics Officer has reason to believe that a written advisory opinion has not been complied with, it will take appropriate action to ensure compliance, including but not limited to the filing of a complaint.
 - (g) Advisory opinions (with unnecessary financial and personal details redacted) will be indexed and maintained on file by the Town Clerk and will also be available on the town website. Officials, employees, and businesses should be notified about advisory opinions that directly affect their conduct.
 - (h) A requester of ethics advice may seek reconsideration of a written advisory opinion by the Ethics Officer. A request for reconsideration must allege that (1) a material error of law has been made; (2) a material error of fact has been made; or (3) a change in materially relevant facts or law has occurred since the request for ethics advice was made. The Ethics Officer may reconsider advice on their own initiative, providing notice to whoever originally requested the advice and to any official, employee, or other person under the Ethics Officer's jurisdiction that will be directly impacted by the advice. Advice stands until it has been amended; it is not suspended pending reconsideration or appeal.

1-3120 Filing a Complaint; Investigations.

- (a) Upon receipt of a complaint the Ethics Officer will first determine if it, in fact, alleges an action or inaction that, if the allegations are true, might constitute a violation of this code, and that at least one person or entity accused of a violation is covered by this code. If the Ethics Officer determines that no such action or inaction has been alleged or that no one accused is covered by this code, they will dismiss the complaint with notice to the complainant. Similarly, if the Ethics Officer determines that an alleged violation is so minor that it is not worthy of investigation, then they will dismiss the complaint with notice to the complainant. The Ethics Officer must make this determination within thirty days of receipt of a complaint.
- (b) A complaint must be filed within one year after the complainant discovered the alleged violation. Complaints may be filed against officials and employees who no longer hold office or are no longer employed.
- (c) The Ethics Officer may, on their own initiative, determine through an inquiry into informal allegations or information provided directly to them that a violation of this code may exist, and prepare a complaint of their own. The Ethics Officer may also amend a complaint that has been filed with it by adding further allegations, by adding respondents involved in the same conduct, directly or indirectly, by action or inaction, or by deleting allegations that would not constitute a violation of this code, have been made against persons or entities not covered by this code, or do not appear to be supported by the facts. The Ethics Officer may also consolidate complaints where the allegations are materially related.
- (d) The Ethics Officer will send notification of the accepted or self-initiated complaint, as amended, as well as any further amendment, to the respondent against whom the complaint was filed, not later than seven days after the preparation of a complaint or amendment. A copy of the complaint, and of any amendments, must accompany such notice. The Ethics Officer will also send notification to the complainant in writing of its receipt and acceptance of the complaint, and of any amendments. Here and elsewhere, "complainant" and "respondent" might consist of more than one person or entity.

1-313 Judicial Review.

Any person or entity aggrieved by a decision of the Ethics Officer, but not a complainant, may seek judicial review and relief from a court pursuant to TN law. The party appealing must immediately serve notice of the appeal on the Ethics Officer.

Commented [TM16]: Writ of cert?

1-314 Miscellaneous Provisions.

- (a) No existing right or remedy may be lost, impaired, or affected by reason of this code.
- (b) Nothing in this code may be deemed to bar or prevent a present or former town official from timely filing any claim, account, demand, or suit against the town on behalf of himself or herself or any member of his or her family arising out of personal injury or property damage or any lawful benefit authorized or permitted by law.
- (c) Any law of any sort - local, state, or federal - that requires a higher, greater, more exacting, or more restrictive standard of conduct than is provided in this code prevails over the provisions of this code and continues in full force and effect with respect to those covered by this code.

1-315 Liberal Construction of Code.

The provisions of this Code are to be construed liberally, to the end that the public interest be fully protected, and they are to be construed in a manner consistent with all applicable federal and state laws and applicable provisions of the Town Charter.

1-316 Severability.

If any provision of this Code is held by any court, or by any federal or state agency of competent jurisdiction, to be invalid as conflicting with any federal, state, or Town Charter provision, or is held by such court or agency to be modified in order to conform to the requirements of such provision, the conflicting provision of this Code is to be considered a separate, independent part of this Code, and such holding shall not affect the validity or enforceability of this Code as a whole or any part other than the part declared to be invalid.

1-317 Effective Date.

This law will take effect immediately upon filing in the office of the Secretary of State and in compliance with all applicable provisions of law.

Declaration of Policy, Purpose, and Obligations

The proper operation of Thompson's Station's government requires that its public officials and employees act as fiduciaries entrusted with and responsible for the property and resources of the community; that they make governmental decisions and policies in the proper channels of the government structure, free of coercive or other improper influence; that they use their position in the best interests of the town rather than for personal interests, whether their own interests or those of their family, friends, or business associates; and that they do not, directly or indirectly, in a positive or negative sense, treat anyone preferentially, that is, other than in a manner generally accorded to town residents.

It is central to gaining and retaining the public's trust in our town's government that public servants seek to avoid even the appearance of impropriety. Fulfilling one's role as public servant sometimes means sacrificing rather than gaining opportunities.

This code focuses on conflicts of interest, which affect the decisions of government officials and employees in ways that are unfair both to the community and to individuals and entities who lack special relationships with our town's officials. When public servants make decisions that are not or do not appear to be impartial, this seriously undermines public confidence in government.

While the vast majority of municipal officials are well-meaning, being well-meaning is not enough. It is important that officials understand the conflicts they confront every day, appreciate their fiduciary obligations to town residents, and recognize the importance of preventing conflicts from occurring, disclosing conflicts when they arise, and withdrawing from any involvement in a matter where they have a conflict.

Nothing is more important to public trust than having public servants err on the side of disclosing every possible conflict and withdrawing from participation even where they feel certain they can act impartially.

The purposes of this ethics code are to provide:

- (a) Standards of ethical conduct - especially those dealing with conflicts between personal interests and those of the town - for town officials, employees, consultants, candidates, and those who do business with the town;
- (b) Clear, consistent guidance with respect to such standards by clarifying which acts are allowed and which are not;
- (c) Public confidence in the integrity of our town's governance and administration;
- (d) For the consideration of potential ethical problems before they arise, to minimize unwarranted suspicion and to enhance the accountability of our town's government to town residents; and
- (e) For the fair and effective administration and enforcement of this code.

There is more to ethical conduct than what is covered by this code, which consists primarily of enforceable rules about conflicts of interest, and procedures for enforcing the rules and providing ethics advice. The town must also provide a healthy ethics environment with positive means of encouraging ethical behavior among its public servants. Individuals - especially community leaders - must commit themselves to dealing responsibly with their conflict situations.

Ethical conduct depends on thinking about one's acts not in terms of what is politically popular, best for oneself and one's colleagues, or even most effective and efficient, but in terms of what is in the best interests of the town. Ethics is not just about enforceable rules, but also about democratic ideals and aspirational goals. Central to ethical action is respect for town residents (treating them as ends rather than as means) as well as self-respect (integrity, expecting the best of oneself).

This code is enacted pursuant to Section 8-17-103 of the State of Tennessee and is not intended to authorize any conduct prohibited by that section.

1-300. Definitions.

Unless otherwise stated or unless the context otherwise requires, when used in this code:

1. To "appear" or "appear before" means to communicate in any form, including, without limitation, personally, through another person, by letter, or by telephone. This definition also applies to the noun form, "appearance."
2. "Consultant" means an independent contractor or professional person or entity engaged by the town or advising a town official, and in a position to influence a town decision or action, or have access to confidential information.
3. "Customer or client" in 1-300 means (a) any person or entity to which a person or entity has supplied goods or services during the previous twenty-four months, having, in the aggregate, a value greater than \$1,000, or (b) any person or entity to which an official's outside employer or business has supplied goods or services during the previous twenty-four months, having, in the aggregate, a value greater than \$1,000, but only if the official knows or has reason to know the outside employer or business supplied the goods or services.
4. "Domestic partner" is an adult, unrelated by blood, with whom an unmarried or separated official has an exclusive committed relationship, maintains a mutual residence, and shares basic living expenses.
5. "Financial benefit" includes any money, service, license, permit, contract, authorization, loan, discount, travel, entertainment, hospitality, gratuity, or any promise of any of these, or anything else of value. This term does not include campaign contributions authorized by law. A "financial interest" is a relationship to something such that a direct or indirect financial benefit has been, will be, or might be received as a result of it.
6. A "gift" is a financial benefit received or given without equivalent compensation. However, a financial benefit received or given on terms available to the general public is not a gift.
7. "Household" includes anyone whose primary residence is in the official's home, including non-relatives who are not rent payers or servants.
8. An "interest in a contract" is a relationship to a contract such that a direct or indirect financial or other material benefit has been, will be, or might be received as a result of that contract. The official does not need to be a party to the contract to have an interest in it. Indirect benefit includes a benefit to the official's family or outside business or employer.
9. "Ministerial act" means an action performed in a prescribed manner without the exercise of judgment or discretion as to the propriety of the act. An example of a ministerial act is the granting of a marriage license by a town clerk.
10. "Official" means any official or employee of the town, whether paid or unpaid, and includes all members of an office, board, body, advisory board, council, commission, agency, department, district, administration, division, bureau, committee, or subcommittee of the town, as well as of an affiliated independent office or agency or quasi-public or public-private body. The term

also includes candidates for office and elected candidates prior to the time they take office, as well as anyone engaged in the performance of a governmental function.

11. "Outside employer or business" includes:
 - i. any substantial business activity other than service to the town;
 - ii. any entity, other than the town, of which the official is a member, official, director, or employee, and from which he or she receives compensation for services rendered or goods sold or produced;
 - iii. any entity located in the town or which does business with the town, in which the official has an ownership interest, except a public corporation in which the official's ownership interest is the lesser of (i) stock valued at less than \$50,000 or (ii) five percent of the outstanding stock; and
 - iv. any entity to which the official owes, or by which the official is owed, more than \$10,000, either in the form of a note, a bond, a loan, or any other financial instrument.

For purposes of this definition, "compensation" does not include reimbursement for necessary expenses, including travel expenses.

12. "Personal benefit" includes benefits other than those that are directly financially advantageous. These include financial benefits to relatives, business associates, and others listed in 100(1), as well as non-financial benefits to these people and to oneself, including such things as reputation and the success of one's career. A "personal interest" means a relationship to something such that a personal benefit has been, will be, or might be obtained by certain action or inaction with respect to it.
13. "Relative" means a spouse, child, step-child, brother, sister, parent or step-parent, or a person claimed as a dependent on the official's latest individual state income tax return.
14. "Subordinate" means another official over whose activities an official has direction, supervision or control.

1-301. General Conflict of Interest Provisions.

1. Conflict of Interest.

- (a) An official may not use his or her position, or take or fail to take any action, or influence others to take or fail to take any action, in a manner which he or she knows, or has reason to believe, may result in a personal or financial benefit, not shared with a substantial segment of the town's population, for any of the following persons or entities (no group of government employees may be considered "a substantial segment" for the purposes of this provision):
 1. himself or herself;
 2. a member of his or her household, including a domestic partner and his or her dependents, or the employer or business of any of these people;
 3. a sibling or step-sibling, step-child or foster child, parent or step-parent, niece or nephew, uncle or aunt, or grandparent or grandchild of either himself or herself, or of his or her spouse or domestic partner, or the employer or business of any of these people;
 4. a person with which he or she has a financial or business relationship, including but not limited to a(n):
 - i. outside employer or business of his or hers, or of his or her spouse or domestic partner, or someone who works for such outside employer or business;
 - ii. client or substantial customer;

- iii. substantial debtor or creditor of his or hers, or of his or her spouse or domestic partner.
 - 5. a person or entity to or from whom the official has given or received an election campaign contribution (including in-kind or donations of time and other resources) during the past election cycle. This amount includes contributions from a person's immediate family or business as well as contributions from an entity's owners, directors, or officers;
 - 6. a nongovernmental civic group, union, social, charitable, or religious organization of which he or she (or his or her spouse or domestic partner) is an officer or director.
- (b) The prohibition in (a) above applies equally to attempts to use, act, or influence.
- (c) It is a violation of this code for an official to award a contract or participate in a matter benefiting a person or entity that formerly employed him or her.

2. Withdrawal from Participation

- (a) An official must refrain from acting on or discussing, formally or informally, a matter before the town, if acting on the matter, or failing to act on the matter, may personally or financially benefit any of the persons or entities listed in subsection 1(a) of this section.
- (b) If a board or agency member is requested to withdraw from participation in a matter, for the reason that he or she has a conflict of interest, the member must decide whether to withdraw. If the member decides not to withdraw, the unchallenged members must consider any relevant evidence concerning such claimed conflict of interest, as defined in this code, and vote whether or not to allow the request and require that the member withdraw from participating in the matter.
- (c) Withdrawal at a meeting requires the public announcement, on the record, of the reason for withdrawal. Withdrawal outside of a meeting requires disclosure in writing of the reason for withdrawal to the official's supervisor
- (d) Ongoing Conflict: An official whose conflict of interest can reasonably be expected to require more than sporadic withdrawal (barring extenuating circumstances, no more than two separate issues in a twelve month period) must resign or cease such outside employment or activity.
- (e) Rule of Necessity: If withdrawal would leave a board with less than a quorum capable of acting, members must disclose their conflicts on the public record, but they may then vote. If an official is the only person authorized by law to act, the official must disclose the nature and circumstances of the conflict to the Ethics Officer and ask for a waiver or advisory opinion.

3. Gifts

- (a) An official, his or her spouse or domestic partner, child or step-child, parent, or member of his or her household, may not solicit nor accept anything of value, directly or indirectly, from any person or entity that the official knows, or has reason to believe, has received or sought a financial benefit, directly or through a relationship with another person or entity, from the town within the previous three years, or intends to seek a financial benefit in the future ("restricted source"). If in doubt, the official should refrain from soliciting or refuse a gift, and should first inquire into the person or entity's relationship with the town or with a restricted source. [or: If the official does not know whether a person or entity fits this description, he or she should inquire and, if it is discovered that the person or entity does fit this description, the gift should be returned (or its monetary value if it cannot be returned) and no further gifts accepted during the relevant period.]

- (b) A person or entity that has, in the last three years, received or sought, or is seeking, a financial benefit, directly or indirectly, from the town, may not give or seek to give anything of value to any official.
- (c) Gifts of property, money, or services given nominally to the town must be accepted by a resolution of the legislative body.

5. Representation

- (a) An official may not represent any other person or entity before the town, nor in any matter not before the town, but against the interests of the town. However, it is acceptable for elected officials to represent constituents without compensation in matters of public advocacy.

6. Appearances

- (a) An official may not appear before any town department, agency, board or commission, except on his or her own behalf or on behalf of the town. Every time an official appears before the meeting of any municipal body, or when he or she writes a letter to the editor or other publicly distributed writing, he or she is required to disclose before speaking or clearly on the writing whether he or she is appearing in an official capacity or as a private citizen. If the speech or writing is in response to criticism or other communication directed at or regarding his or her official role, the official may respond only in his or her official role. It is acceptable for elected officials to appear or argue on behalf of constituents in matters of public advocacy.
- (b) Appointed or volunteer members of any town boards and commissions may represent persons and entities before, or appear before, any town department, agency, board, or commission other than their own.

7. Confidential Information

- (a) An official, a former official, a contractor or a consultant may not use confidential information, obtained formally or informally as part of his or her work for the town or due to his or her position with the town, for his or her own benefit or for the benefit of any other person or entity, or make such information available in a manner where it would be reasonably foreseeable that a person or entity would benefit from it.

8. Political Solicitation

- (a) An official, employee, or municipal candidate may not knowingly request, or authorize anyone else to request, that any subordinate or potential future subordinate, participate or not participate in any political activity, including the making of a campaign contribution. Nor may he or she engage in any political activity while on duty for the town, with the use of town funds, supplies, vehicles, or facilities, in uniform, or during any period of time during which he or she is normally expected to perform services for the town for which compensation is paid.

9. Patronage

- (a) No official may promise an appointment or the use of his or her influence to obtain an appointment to any position as a reward for any political activity or contribution.

10. Post-Employment

- (a) **Representation.** For a period of two years after the termination of his or her town service or employment, an official may not, on behalf of any other person, for compensation, directly or indirectly, formally or informally, act as agent, attorney, lobbyist, or other sort of representative, to or before his or her former agency, department, authority, board, or commission. For the

purposes of this provision, any board member, town administrator or assistant administrator, or town planner is deemed to have worked for every town department, agency, authority, board, and commission. Acting indirectly includes action by a partner, associate, and other professional employee of an entity in which the former official is a partner, associate, or professional employee, as well as acting by a member of the former official's immediate family.

- (b) **Employment.** An official, or a member of his or her immediate family, may not accept employment with, or with the help of, (a) a party to a contract with the town, within two years after the contract was signed, when he or she participated personally and substantially in the preparation, negotiation, or award of the contract, and the contract obliged the town to pay an aggregate of at least \$25,000; or (b) an individual or entity who has, within the previous two years, benefited directly from any decision made by, or based on advice or information supplied by, the official or by a subordinate. An elected or appointed official, or a member of his or her immediate family, may not accept employment if the body of which he or she is a member or was a member within the previous two years had any role in filling the job, including an advisory role. A board member, or a member of his or her immediate family, may not, for two years after termination of town service or employment, accept any full-time compensated position with the town. For the purposes of this section, "employment" includes full-time and part-time jobs, and professional and other work for hire, given directly or indirectly.
- (c) **Exceptions.** Former officials and employees are not prohibited from acting if he or she is:
1. Working for the town on a volunteer basis;
 2. Acting on behalf of another federal, state, or local government;
 3. Giving testimony under oath and is not being compensated for it;
 4. Providing scientific or technological information at the government's request;
 5. Performing only ministerial acts.
- (d) **Waivers.** The Board of Mayor and Alderman may waive the prohibitions of this provision via unanimous vote if it determines that the situation does not create a potential for undue influence, unfair advantage, or a serious appearance of impropriety.

11. Misuse of Town Property and Reimbursements

- (a) An official may not use, or permit others to use, any town funds, property, or personnel for profit or for personal convenience or benefit, except when:
1. available to the public generally, or to a class of residents, on the same terms and conditions;
 2. permitted by policies approved by the local legislative body, or;
 3. in the conduct of official business, used in a minor way for personal convenience.

12. Nepotism

- (a) No official may appoint or hire, or participate in influencing the appointment or hiring of, his or her spouse or domestic partner, child or step-child, sibling or step-sibling, parent, or member of his or her household for any type of employment, including by contract (unless competitively bid), with the town. No official may supervise or be in a direct line of supervision over his or her spouse or domestic partner, child or step-child, sibling or step-sibling, parent, member of his or her household. If an official comes into a direct line of supervision over one of these persons, he or she will have six months to come into compliance or to obtain a waiver.

13. Transactions with Subordinates

- (a) No official may engage in a financial transaction, including the giving or receiving of loans or monetary contributions, including charitable contributions, with a subordinate or person or

business over which, in the official's official duties and responsibilities, he or she exercises supervisory responsibility, unless

1. the financial transaction is in the normal course of a regular commercial business or occupation, or
2. the financial transaction involves a charitable event or fundraising activity which is the subject of general sponsorship by a state or municipal agency through official action by a governing body or the highest official of state or municipal government.

14. Fees and Honorariums

- (a) No official may accept a fee or honorarium for an article, for an appearance or speech, or for participation at an event, in his or her official capacity. However, he or she may receive payment or reimbursement for necessary expenses related to any such activity.

15. Endorsements

- (a) No official in his or her official capacity may publicly endorse products or services. However, this does not prohibit an official from answering inquiries by other governmental officials, consumer organizations, or product information services regarding products or services.

16. Consultants

- (a) A consultant may not represent a person or entity other than the town in any matter, transaction, action, or proceeding in which the consultant participated personally and substantially as a consultant to the town. Nor may a consultant represent a person or entity in any matter, transaction, action, or proceeding against the interest of the town.

17. Complicity with or Knowledge of Others' Violations

- (a) No one may, directly or indirectly, induce, encourage, or aid anyone to violate any provision of this code. If an official suspects that someone has violated this code, he or she is required to report it to the relevant individual, either the employee's supervisor, the board on which the official sits or before which the official is appearing or will soon appear, or the Town Attorney, if the violation is past or if it is not immediately relevant to a decision, to discussion, or to actions or transactions.
- (b) Anyone who reports a violation in good faith will be protected by the provisions of 1-310.

18. Falsely Impugning Reputation

- (a) An official may not falsely impugn the reputation of a town resident. If an official believes his or her accusation to be true, and then learns that it was false, even in part, he or she should apologize in the same forum the accusations were made or if the same forum is not practical, on the record at a public town meeting. A failure to apologize within a reasonable period of time after learning of the falseness of the accusations will create the presumption that the conduct was fully intentional.

19. Meeting Attendance

- (a) All members of boards and commissions are expected to attend their meetings. It is a violation of this code to miss more than a third of a board or commission's meetings, including work and special session meetings, in a twelve-month period.

20. Honesty in Applications for Positions

- (a) No person seeking to become an official, consultant or contractor may make any false statement, submit any false document, or knowingly withhold information about wrongdoing in connection with employment by or service for the town.

1-302. Exclusions from the Code of Ethics and from Transactional Disclosure.

The provisions section 1-301 of this code do not require withdrawal or transactional disclosure as a result of:

- (a) An action specifically authorized by statute, rule, or regulation of the State of Tennessee or of the United States.
- (b) A ministerial act.
- (c) Gifts received by the official:
 - 1. from his or her parent, spouse or domestic partner, child or step-child, or sibling or step-sibling;
 - 2. or his or her spouse or domestic partner, child or step-child, parent, and member of his or her household, from a person or entity (any person who works for or is otherwise related to an entity is considered as having given on behalf of that entity), having an aggregate value of \$50 or less during any twelve-month period;
 - 3. accepted on behalf of the town and transferred to the town pursuant to 100(4)(b).
- (d) Gifts or financial benefits having a value of \$50 or less that are received by a town official for the solemnization of a marriage officiated by that official at a place other than his or her normal public place of business and at a time other than his or her normal work hours.
- (e) Public awards from charitable organizations having a value of \$100 or less.

1-303. Advisory Opinions.

- (a) Upon the written request of any official, including former officials and employees whose position was terminated within three years as well as people who intend to soon become an official, as well as any candidate, consultant, or person or entity doing business with the town, or person or entity doing business with or seeking a special benefit from the town, or intending to soon do so, the Ethics Officer must render, within fifteen days after the date of the request, a written advisory opinion with respect to the interpretation or application of this Code with respect to future actions only. If an earlier response is desired, or if the Ethics Officer determines that the situation does not require a formal advisory opinion, an informal verbal or e-mail opinion will be provided by the Ethics Officer. No one but the Ethics Officer may provide official ethics advice; any other advice is not binding and does not protect the advisee.
- (b) Any person or entity may request informal advice from the Ethics Officer about any situation, including hypothetical situations, but such advice is not binding and there are no time requirements.

1-304. Void Contracts.

- (a) Any contract, permit, or other transaction entered into by or with the town which results in or from a violation of any provision of section 1-301 of this code is void, without further action taken, unless ratified by the town's legislative body in an open session held after applicable public notice. Such ratification does not affect the imposition of any penalties pursuant to this code or any other provision of law.

1-305. Penalties for Violation of This Code.

1. Resignation, Compensatory Action, Apology

Violation of any provision of this code should raise conscientious questions for the official concerned as to whether a sincere apology, compensatory action, or resignation is appropriate to promote the best interests of the town and to prevent the cost - in time, money, and emotion - of an investigation and hearings.

2. Disciplinary Action.

Any person or entity that is found to have engaged in action or inaction that violates any provision of this code may be reprimanded via suspension, removal, or be subject to any other sanction or remedy authorized by law.

3. Civil Fine.

Any person or entity that violates any provision of this code may be subject to a civil fine of up to \$2,000 for each violation, payable to the town. A civil fine may be imposed in addition to any other penalty authorized by this code or by law.

4. Damages.

Any person or entity that violates any provision of this code is liable in damages to the town for any losses or increased costs incurred by the town as a result of the violation. Such damages may be imposed in addition to any other penalty authorized by this code or by law.

1-306. Debarment.

- (a) Any person or entity that intentionally or knowingly violates any provision of this code, in more than a de minimis manner, as well as any entity owned by such person or entity or by an owner of the entity in violation, is prohibited from entering into any contract with the town for a period not to exceed three years.
- (b) Nothing in this section may be construed to prohibit any person or entity from receiving a service or benefit, or from using a facility, which is generally available to the public.
- (c) Under this section, a corporation, partnership, or other entity is not vicariously liable for the actions of an employee. A corporation, partnership, or other entity is not debarred because of the actions of an employee unless the employee acted in the execution of company policy or custom, or with knowledge of one or more company officers. A store, region, division, or other unit of an entity is not debarred because of the actions of an employee of that unit unless the employee acted at the direction, or with the actual knowledge or approval, of the manager of the unit.

1-307. Injunctive Relief.

- (a) Any resident, official, or employee of the town may initiate an action or special proceeding, as appropriate, in a court of appropriate jurisdiction for injunctive relief to enjoin any person or entity from violating this code or to compel any person or entity to comply with the provisions of this code. In lieu of, or in addition to, injunctive relief, the action or special proceeding, as appropriate, may seek a declaratory judgment.
- (b) No action or special proceeding may be prosecuted or maintained pursuant to subsection 1 of this section, unless (a) the plaintiff or petitioner has filed with the Ethics Officer a complaint alleging the violation, (b) it is alleged in the complaint or petition filed with the court that at least six months have elapsed since the filing of the complaint with the Ethics Officer, and that

the Ethics Officer has failed to issue a determination in the matter, and (c) the action or special proceeding is filed within ten months after the alleged violation occurred.

1-308. Whistle-Blower Protection.

- (a) Neither the town nor any person, including officials and employees, may take or threaten to take, directly or indirectly, official or personal action, including but not limited to discharge, discipline, personal attack, harassment, intimidation, or change in job, salary, or responsibilities, against any official, employee, or other person (or against any member of their family) because that person, or a person acting on his or her behalf, (a) reports, verbally or in writing, or files a complaint with the Ethics Officer regarding an alleged violation of this code, or (b) is requested by the Ethics Officer to participate in an investigation, hearing, or inquiry, or is involved in a court action relating either to the alleged violation or to evidence presented or given as part of an Ethics Officer investigation. The provisions of this section are not applicable when the complainant, witness, or reporter of a violation made accusations or other statements that were malicious and false. A violation of this section is a violation of this code.
- (b) Anyone who alleges a violation of subsection 1 may bring a civil action for appropriate injunctive relief, or actual damages, or both within ninety days after the occurrence of the alleged violation. A court may order reinstatement of the plaintiff to such a suit, or the payment of back wages, full reinstatement of fringe benefits and seniority rights, actual damages, or any combination of these remedies. A court may also award the plaintiff all or a portion of the costs of litigation, including reasonable attorney fees and witness fees. The initiation of such litigation is not a violation of the confidentiality provisions.

1-309. Advisory Opinions.

- (a) Upon the written request the Ethics Officer must render within 15 days a written advisory opinion with respect to the interpretation or application of this Code with respect to future actions only. If an earlier response is desired, or if the Ethics Officer determines that the situation does not require a formal advisory opinion, a mailed, or e-mailed opinion will be provided by the Ethics Officer. No one but the Ethics Officer or Officer may provide ethics advice; any other advice is not binding on the Ethics Officer and does not protect the advisee.
- (b) Any person or entity may request informal, verbal advice from the Ethics Officer about any situation, including hypothetical situations, but such advice is not binding and there are no time requirements.
- (c) Unless otherwise appointed by the BOMA, the Town Attorney will serve as the Ethics Officer. The Ethics Officer's phone number and e-mail address will be made available on the Town's website. The Ethics Officer's informal opinions may be relied upon, in good faith, but will not be binding upon the Town or upon the person making the request.
- (d) The Town Attorney can request that a different Ethics Officer be appointed to fulfill duties on any particular issue.
- (e) An advisory opinion rendered by the Ethics Officer, until and unless amended or revoked, is binding upon the Ethics Officer in any subsequent proceeding concerning the person or entity that requested the opinion, or to which the advisory opinion referred, and acted in good faith, unless the requester omitted or misstated a material fact in requesting the advisory opinion. The advisory opinion may also be used as a defense in any civil action brought by the town.
- (f) A written advisory opinion is also binding on an official, employee, candidate, contractor or other person under the Ethics Officer's jurisdiction to whom it directly applies. If the Ethics Officer has reason to believe that a written advisory opinion has not been complied with, it

will take appropriate action to ensure compliance, including but not limited to the filing of a complaint.

- (g) Advisory opinions (with unnecessary financial and personal details redacted) will be indexed and maintained on file by the Town Clerk and will also be available on the town website. Officials, employees, and businesses should be notified about advisory opinions that directly affect their conduct.
- (h) A requester of ethics advice may seek reconsideration of a written advisory opinion by the Ethics Officer. A request for reconsideration must allege that (1) a material error of law has been made; (2) a material error of fact has been made; or (3) a change in materially relevant facts or law has occurred since the request for ethics advice was made. The Ethics Officer may reconsider advice on their own initiative, providing notice to whoever originally requested the advice and to any official, employee, or other person under the Ethics Officer's jurisdiction that will be directly impacted by the advice. Advice stands until it has been amended; it is not suspended pending reconsideration or appeal.

1-310 Filing a Complaint; Investigations.

- (a) Upon receipt of a complaint the Ethics Officer will first determine if it, in fact, alleges an action or inaction that, if the allegations are true, might constitute a violation of this code, and that at least one person or entity accused of a violation is covered by this code. If the Ethics Officer determines that no such action or inaction has been alleged or that no one accused is covered by this code, they will dismiss the complaint with notice to the complainant. Similarly, if the Ethics Officer determines that an alleged violation is so minor that it is not worthy of investigation, then they will dismiss the complaint with notice to the complainant. The Ethics Officer must make this determination within thirty days of receipt of a complaint.
- (b) A complaint must be filed within one year after the complainant discovered the alleged violation. Complaints may be filed against officials and employees who no longer hold office or are no longer employed.
- (c) The Ethics Officer may, on their own initiative, determine through an inquiry into informal allegations or information provided directly to them that a violation of this code may exist, and prepare a complaint of their own. The Ethics Officer may also amend a complaint that has been filed with it by adding further allegations, by adding respondents involved in the same conduct, directly or indirectly, by action or inaction, or by deleting allegations that would not constitute a violation of this code, have been made against persons or entities not covered by this code, or do not appear to be supported by the facts. The Ethics Officer may also consolidate complaints where the allegations are materially related.
- (d) The Ethics Officer will send notification of the accepted or self-initiated complaint, as amended, as well as any further amendment, to the respondent against whom the complaint was filed, not later than seven days after the preparation of a complaint or amendment. A copy of the complaint, and of any amendments, must accompany such notice. The Ethics Officer will also send notification to the complainant in writing of its receipt and acceptance of the complaint, and of any amendments. Here and elsewhere, "complainant" and "respondent" might consist of more than one person or entity.

1-311 Judicial Review.

Any person or entity aggrieved by a decision of the Ethics Officer, but not a complainant, may seek judicial review and relief from a court pursuant to TN law. The party appealing must immediately serve notice of the appeal on the Ethics Officer.

1-312 Miscellaneous Provisions.

- (a) No existing right or remedy may be lost, impaired, or affected by reason of this code.
- (b) Nothing in this code may be deemed to bar or prevent a present or former town official from timely filing any claim, account, demand, or suit against the town on behalf of himself or herself or any member of his or her family arising out of personal injury or property damage or any lawful benefit authorized or permitted by law.
- (c) Any law of any sort - local, state, or federal - that requires a higher, greater, more exacting, or more restrictive standard of conduct than is provided in this code prevails over the provisions of this code and continues in full force and effect with respect to those covered by this code.

1-313 Liberal Construction of Code.

The provisions of this Code are to be construed liberally, to the end that the public interest be fully protected, and they are to be construed in a manner consistent with all applicable federal and state laws and applicable provisions of the Town Charter.

1-314 Severability.

If any provision of this Code is held by any court, or by any federal or state agency of competent jurisdiction, to be invalid as conflicting with any federal, state, or Town Charter provision, or is held by such court or agency to be modified in order to conform to the requirements of such provision, the conflicting provision of this Code is to be considered a separate, independent part of this Code, and such holding shall not affect the validity or enforceability of this Code as a whole or any part other than the part declared to be invalid.

1-315 Effective Date.

This law will take effect immediately upon filing in the office of the Secretary of State and in compliance with all applicable provisions of law.

Town of Thompson's Station



REQUEST FOR QUALIFICATIONS

**Town Road Impact Fees
November 2018**

Request for Qualifications

The Town of Thompson's Station, population 4,726, is a growing Tennessee community located approximately 25 miles south of Nashville. Thompson's Station is looking to grow a strong economic base with sustainable development that will benefit our community while preserving our rural environment. The Town wishes to ensure that the road impact fees are appropriate to ensure that improvements to the roadway infrastructure are planned for as the growth within the Town continues. Therefore, the Town is requesting statements of qualifications for a firm or individuals to update the Impact Fee Schedule as set forth in Title 12, Chapter 4 of the Municipal Code.

A complete response to this RFQ shall include seven (7) copies of the bound written Statement of Qualifications in addition to an electronic version of the Statement of Qualifications. Statements will be received until 3:00 p.m. on Friday, December 7, 2018. The required Statement of Qualifications shall be addressed as follows:

Wendy Deats, AICP
Town Planner
Town of Thompson's Station
P.O. Box 100
1550 Thompson's Station Road West
Thompson's Station, TN 37179

Email and faxed responses are not acceptable and will not be considered. The submittal deadline is absolute and late submittals will not be considered. Prospective firms and individuals shall select a delivery method that ensure timely delivery of the documents prior to the due date and time.

This RFQ may be downloaded from the Town of Thompson's Station website using the following link: **LINK WILL BE ADDED HERE**

Any amendment or clarifications to the RFQ will be posted on the Town's website also.

The Town reserves the right to: reject any or all responses, waive informalities in a response, select a firm or individual who has submitted a complete Statement of Qualifications who is deemed to be qualified and in the best interest of the Town; or take whatever action or make whatever decision the Town determines to be appropriate and the best interest of the Town. The Town assumes no obligation in this general solicitation of services and all costs and expenses of responding to this RFQ shall be borne by the interested firms and individuals.

DEFINITIONS

For the purposes of this RFQ, the following terms have the following meanings:

- a) **"Contract"** shall mean the agreement between the Town and vendor chosen as a result of this RFQ, which addresses the requested goods and services.
- b) **"Consultant"** shall mean the firm or individual chosen by the Town to supply the

requested goods and perform the requested services.

c) **“Proposal”** shall mean the written document submitted to the Town of Thompson’s Station in response to this RFQ.

d) **“Proposer”** shall mean an individual or business entity submitting a Proposal in response to this RFQ.

e) **“Town”** shall mean the Town of Thompson’s Station, Tennessee

SCOPE OF WORK

The Consultant shall work with the Town to collect all available data and identify additional information required to prepare a comprehensive study of the Town’s impact fees. The Consultant shall evaluate all related information, including but not limited to, land uses, existing and proposed developments, capital improvement projects, trip generation rates identified in the latest ITE Trip Generation Manual. From the information the Consultant shall prepare a recommendation to the Town for impact fees. The proposed report shall include all methodology, findings and justification for the recommended update and shall include recommendations for appropriate road impact fees.

The Consultant shall provide regular updates to Staff and shall present the findings and report to the Board of Mayor and Aldermen.

DELIVERABLES

The Consultant shall be responsible for the preparation of all materials necessary for this project. The following services and work products will be required:

1. A detailed schedule of work for the fee study.
2. Draft document, including an electronic copy.
3. Display materials necessary for the project.
4. A work session for the Board of Mayor and Aldermen once a draft fee study is complete.
5. Final document, including an electronic copy.

SUBMITTAL REQUIREMENTS

Submittals will be evaluated based on the qualifications of the proposer. The submittal shall include:

Cover Letter on Company Letterhead

1. Stating that the proposer has read and understands the project;
2. The proposer’s intent to offer the services as it relates to the project; and
3. The proposer’s ability to commit accomplish the project with the necessary resources on schedule.

Qualifications

1. A description of the qualifications and professional accreditations with experience in the preparation of a fee study for road impact fees;
2. Describe similar work within the last five (5) years;
3. Identify the key personnel and their specific roles and responsibilities. Key personnel shall include one or more individuals who have extensive experience in the project. Key personnel include the Project Manager,

employees with specialized expertise, and any subcontracted consultants designated to perform work. The Consultant's Project Manager shall oversee the performance of services and shall be the primary point of contact for services performed under this Contract and shall be available to meet with the Town Administrator to discuss progress or problems as the need arises.

4. Provide a list of recent, similar projects.

Work product

1. Provide a task list and detailed approach to accomplishing this project showing how and when all the deliverables will be completed and submitted.

References

1. Provide three client references. References must be clients from within projects completed within the last five (5) years. Provide all necessary contact information for the contact person.

Fees

1. The proposals must include fee information that delineates the costs for each individual who will be providing consulting services being requested under this RFQ. The schedule should include the following:
 - a. hourly rates for each employee;
 - b. other expenses, such as travel, supplies, etc.; and
 - c. a schedule of payments.

Should the Town enter into negotiations with a successful respondent that results in a revision to the scope of services in this RFQ, the fees may correspondingly be negotiated to reflect the changes.

ASSIGNMENT OF CONTRACTUAL RIGHTS:

It is agreed that this contract must not be assigned, transferred, conveyed, or otherwise disposed of by either party in any manner, unless approved in writing by the other party. The firm or firms will be an independent service provider for all purposes and no agency, either expressed or implied, exists.

CONDITIONS OF PROPOSAL SUBMITTAL

The proposal must be signed by a duly authorized official for the firm submitting the proposal. No proposal will be accepted from any persons, firm or corporation that is in arrears for any obligation to the Town, or that otherwise may be deemed irresponsible or unresponsive by the Board of Mayor and Aldermen or Town staff. Only one proposal will be accepted from any person, firm, or corporation. All proposals shall be prepared in a comprehensive manner as to content, but no necessity exists for expensive binders or promotional material.

IDEMNITY:

The successful bidder agrees to defend, indemnify, and hold the Town harmless from any and all causes of action or claims arising out of or related to the bidders performance on this project.

REVIEW OF PROPOSALS

All proposals will be reviewed and evaluated by the Town Administrator and Town Planner who shall recommend for selection the Consultant who has satisfied the requirements and demonstrated qualifications that will provide the best meets the needs of the Town as provided in this RFQ. The Town may award with or without further discussions.

The Town will consider the Proposer's experience and proposed approach to performing the work and will make the award decision based on the likelihood of successful and comprehensive completion of the work. This criterion will be evaluated by examining the entire proposal, with particular emphasis on "Work Plan," "Personnel Resources," and "Experience."

The Town reserves the right to consider other factors when evaluating proposals, when such consideration serves the goals and interests of the Town. The Town reserves the right to request additional information at any time from any and all the prospective firms as deemed necessary by the Town to evaluate the proposals. This process will not be used as an opportunity to submit missing documentation or make revisions to the statement of qualifications. Any proposals that do not meet the submittal requirements will not be considered.

REJECTION OF PROPOSALS

The Town reserves the right to reject, at any time and for any reason, any and all proposals received as a result of this RFQ. The Town's intent is to enter into a contract as a result of this RFQ. However, if after reviewing the Proposals received, the Town determines that the Town should not enter into any Contract, or to enter into a partial or different contract from the Contract contemplated by this RFQ, the Town will act in accordance with what the Town determines at that time to be in its best interest. No Proposer or any other party has any entitlement, interest, or right in this decision by the Town, and by submitting a Proposal, acknowledges the Town's right to exercise its discretion in this regard without any right of recourse by the Proposer.

DISCLOSURE, OWNERSHIP OF PROPOSAL CONTENTS, AND CONFIDENTIALITY

The Proposals will become the basis for any contract entered into and will become subject to the Town's provision on public access to records and information. To the extent a Proposer includes any uniquely proprietary or confidential information in the Proposal, the Proposer must clearly and unequivocally mark such information. The Town will not reveal any such information to any third party, unless required to do so by law. The proposers must agree to make no other distribution of their Proposal beyond that made to the Town.

SUB-CONSULTANTS

It is intended that a single Consultant have total responsibility for the proposed work so as to assure a fully operational system. Therefore, any Proposer desiring to use sub-

Consultant(s) must identify each on a document supplied as an attachment to the Proposal and titled “Sub-Consultants”. Include for each sub-Consultant, their company’s name, the company’s principal owners, description of their involvement in the project, and qualifications for each aspect of the Proposed Solution they will be involved. The sub-Consultant(s) cannot be changed after submission of the Proposal except with the written approval of the Town.

The Consultant is responsible for all actions, workmanship, performance, and payment for their sub-Consultant(s).

RFQ INQUIRIES/QUESTIONS

All questions/inquiries must be submitted in writing via mail or email to the primary contact. The Town will review all inquiries received prior to the RFQ submittal deadline and will email written answers to all recipients of the RFQ. During the review or preparation of the RFQ Proposal, if a Proposer discovers any errors, omissions or ambiguities within the RFQ, they should identify them in writing to the Town prior to the RFQ submission deadline.

RFQ Revisions

Proposal interpretations and addenda clarification may be issued to correct mistakes, answer questions, or resolve ambiguities during the proposal solicitation process. The Town shall send any change to or interpretation of this RFQ to each firm or individual to whom an RFQ has been distributed. Any such changes or interpretations shall become a part of this RFQ and may be incorporated into any contract awarded pursuant thereto.

PROSPECTIVE FIRM PRESENTATIONS

A presentation may be needed if there are a number of equally qualified proposals that warrant further review. If presentations are necessary, the Proposers will be notified of the meeting date.

TENTATIVE SCHEDULE

The following is the Town’s tentative schedule for the selection of a consultant:

RFQ Release	November 14, 2018
Response Submittals due	December 7, 2018 @ 3:00
Town Staff Review	December 7 – December 14, 2018
Interviews (if necessary)	December 17 – December 19, 2018
Anticipated Award	January 8, 2019

ATTACHMENTS

Town of Thompson’s Station Municipal Code, Title 12, Chapter 4

RESOLUTION NO. 2018-022

A RESOLUTION OF BOARD OF MAYOR AND ALDERMEN OF THE TOWN OF THOMPSON'S STATION, TENNESSEE TO APPROVE A RIGHT-OF-WAY AND UTILITY EASEMENT WITHIN PRESERVATION PARK FOR THE MTEMC UNDERGROUND SERVICE LINE

WHEREAS, the Town previously requested that Middle Tennessee Electric Membership Corporation ("MTEMC") install an underground service line within Preservation Park; and

WHEREAS, the Board of Mayor and Aldermen has determined that it is in the best interest of the Town to approve the right-of-way and utility easement for this service line.

NOW, THEREFORE, BE IT RESOLVED by the Board of Mayor and Aldermen of the Town of Thompson's Station as follows:

Section 1. That the right-of-way and utility easement with MTEMC for the service line within Preservation Park attached hereto as Exhibit A is approved and that the Mayor is authorized to sign the easement.

Section 2. This resolution shall take effect upon passage, the public welfare requiring it.

RESOLVED AND ADOPTED this _____ day of _____ 2018.

Corey Napier, Mayor

ATTEST:

Jennifer Jones, Town Recorder

APPROVED AS TO LEGALITY AND FORM:

Todd Moore, Town Attorney

**THIS INSTRUMENT PREPARED BY:
TODD MOORE
5115 Maryland Way, Suite 100
Brentwood, TN 37027**

TAX MAP/PARCEL NO.: Map 146, Parcel 02000

DEDICATION OF EASEMENT

KNOW ALL MEN BY THESE PRESENTS, that the Town of Thompson's Station, Tennessee, ("Grantor") for good and valuable consideration, the receipt or which is hereby acknowledged grants to Middle Tennessee Electric Membership Corporation ("Grantee") a permanent right-of-way and utility easement for the purpose of installing and maintaining an underground electric service line and related improvements, including the right to install, repair and keep repaired, and to re-install, if necessary, said improvements, together with necessary egress and ingress to accomplish the foregoing purposes, in, on, over, across, and the land shown on Exhibit A. Specifically, easement shall be 10' from the center line to each side (for a total of 20') from the underground line installed as shown by the dashed-lines indicated on Exhibit A.

Being located on the property conveyed to the GRANTOR of record in Book 5982, Page 200, Register's Office for Williamson County, Tennessee.

Grantor covenants that it is the owner of the above-described property.

IN WITNESS WHEREOF, Grantor has executed this instrument on this the _____ day of _____, 2018.

GRANTOR:

Mayor

**STATE OF TENNESSEE)
COUNTY OF WILLIAMSON)**

Personally appeared before me, _____, Notary Public of said county and state, _____, the mayor of the Town of Thompson's Station, Tennessee, with whom I am personally acquainted (or proved to me on the basis of satisfactory evidence), and who, upon oath, acknowledged that he is authorized to execute the within instrument for the purposes therein contained, by signing his name for the Town.

Witness my hand, at office, this _____ day of _____, 2018.

Notary Public

My commission expires: _____

Ctrl Map, Grp, Par
094146 01305
SMITH JESSICA L

Ctrl Map, Grp, Par
094146 01901
MARSHALL A FAMILY FOODS INC

Ctrl Map, Grp, Par
094146 01304
MORRISON KRISTY

Ctrl Map, Grp, Par
094146 02000
TOWN OF THOMPSONS STATION

Ctrl Map, Grp, Par
094146 02001
ANSON PHILIP J SR

W THOMPSON
STATION RD

Ctrl Map, Grp, Par
094146K A 00800
ANDREWS WILLIAM A

Ctrl Map, Grp, Par
094146K A 00700
BUFORD DONNIE

Ctrl Map, Grp, Par
094146K A 00900
ANDREWS TOMMY M

Ctrl Map, Grp, Par
094146K A 01000
RIEBE KERRY BRENNAN

1 inch = 100 feet



Printed 10/30/2018



Middle Tennessee Electric
Membership Corporation

4147-L

Disclaimer:
Middle Tennessee Electric Membership Corporation makes no representation or warranty as to map accuracy, and in particular, its accuracy as to Underground Conductors locations, property boundaries, rights-of-ways, or placement and location of any map features or data. Independent verification of all information should be obtained by the User. This map is NOT a LEGALLY BINDING OR CERTIFIED DOCUMENT. All data and materials Copyright © 2005. All Rights Reserved.

ORDINANCE NO. 2018-018

AN ORDINANCE OF THE BOARD OF MAYOR AND ALDERMEN OF THE TOWN OF THOMPSON'S STATION, TENNESSEE TO CLOSE AND ABANDON A PORTION OF BAUGH ROAD

WHEREAS, Baugh Road is an existing dead-end street within the Town; and

WHEREAS, a section of Baugh Road is located on property that is proposed for a new residential development, Littlebury, and the developer, Great Tennessee Land Company, along with the property owners, have requested this section of the right-of-way be closed for public use by the Town and abandoned; and

WHEREAS, the Board of Mayor and Aldermen of the Town of Thompson's Station has determined that it is in the best interest of Town to close and abandon the portion of Baugh Road shown the Littlebury Subdivision preliminary plat, subject to certain conditions.

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

Section 1. That section of Baugh Road located on the Littlebury Subdivision preliminary plat, a copy of which is attached hereto, is closed for public use and is abandoned by the Town subject to the following conditions: (1) that all persons or entities owning the property adjoining the section of Baugh Road to be abandoned shall sign an affidavit requesting such closure and abandonment before 2nd reading; and (2) the developer, Great Tennessee Land Company, shall agree to keep a 20' ingress/egress easement open at all times to access the cemetery located on the property, such easement to be shown and recorded on the final plat.

Section 2. This ordinance shall take effect fifteen (15) days after passage and upon the publication of its caption in a newspaper of general circulation after final reading by the Board of Mayor and Aldermen, 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 _____ day of _____, 2018.

Corey Napier, Mayor

ATTEST:

Jennifer Jones, Town Recorder

Passed First Reading: _____

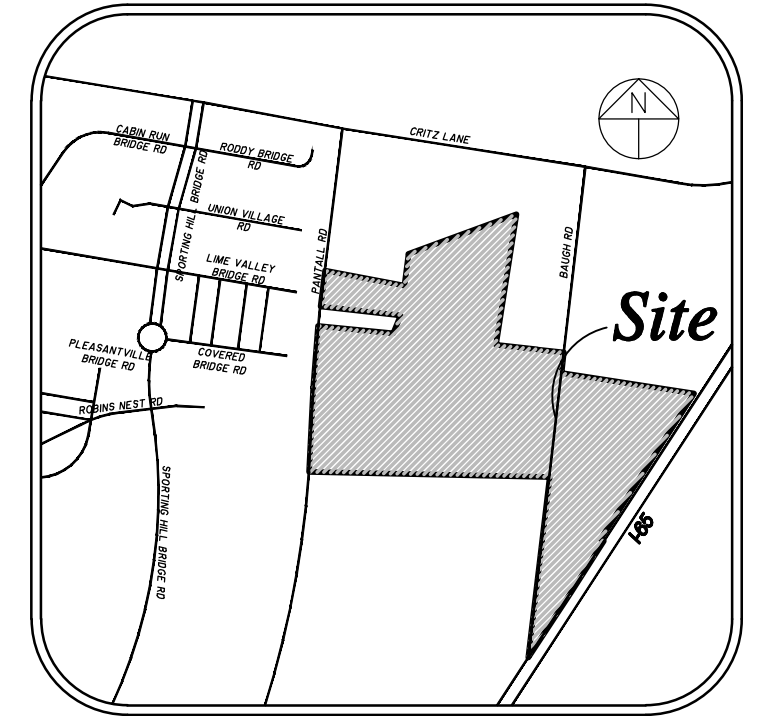
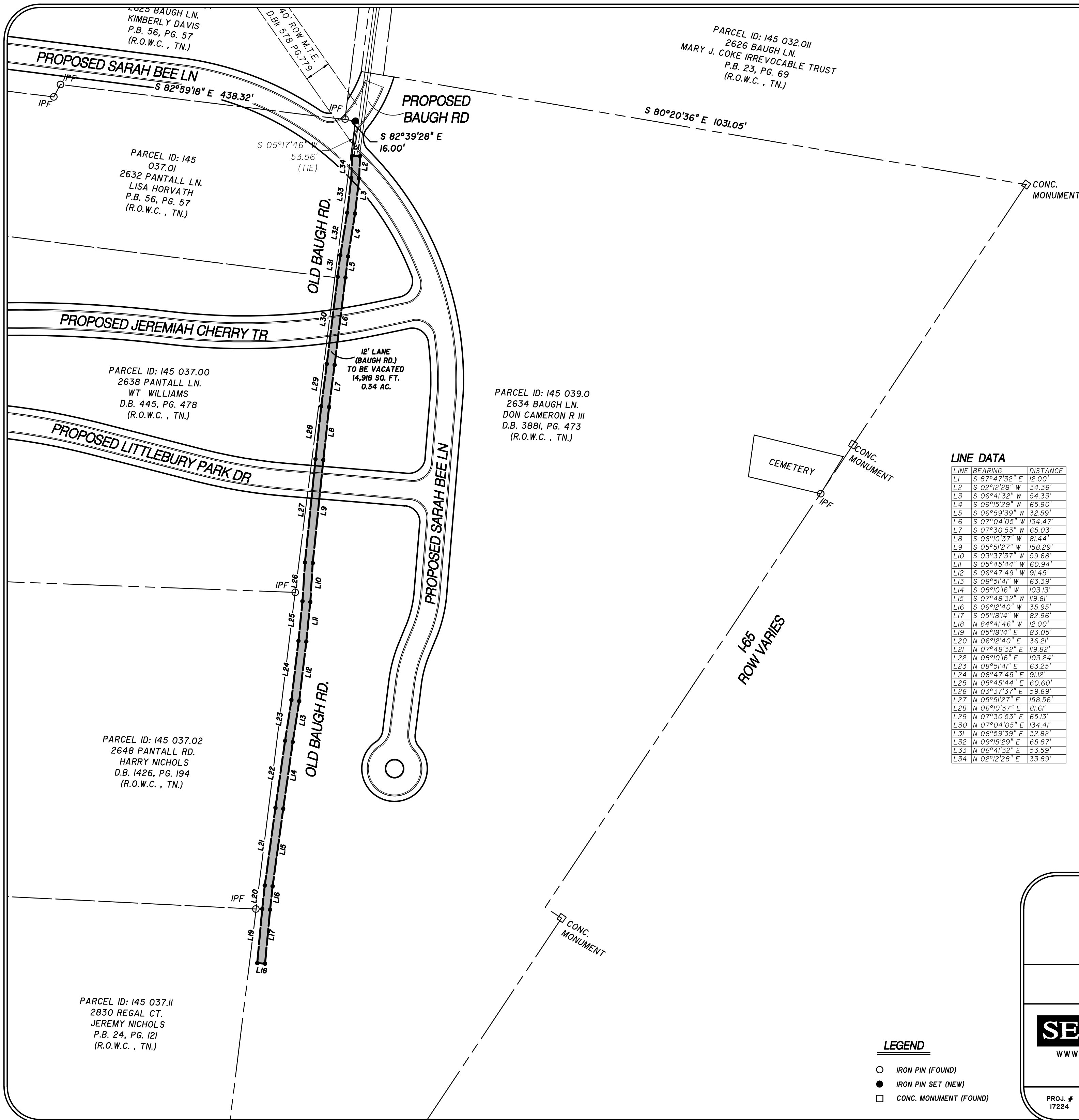
Passed Second Reading: _____

Submitted to Public Hearing on the ____ day of _____, 2018, at 7:00 p.m., after being advertised in the *Williamson AM* Newspaper on the ____ day of _____, 2019.

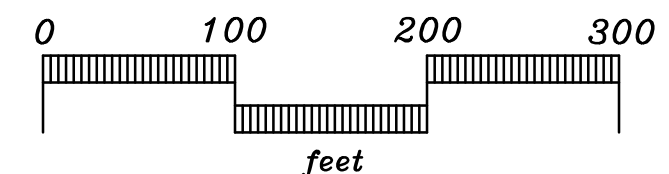
Recommended for approval by the Planning Commission on the ____ day of _____, 2018.

APPROVED AS TO FORM AND LEGALITY:

Todd Moore, Town Attorney



LOCATION MAP
N.T.S.



LINE DATA

LINE	BEARING	DISTANCE
L1	S 87°47'32" E	12.00'
L2	S 02°12'28" W	34.36'
L3	S 06°41'32" W	54.33'
L4	S 09°15'29" W	65.90'
L5	S 06°59'39" W	32.59'
L6	S 07°04'05" W	134.47'
L7	S 07°30'53" W	65.03'
L8	S 06°10'37" W	81.44'
L9	S 05°51'27" W	158.29'
L10	S 03°37'37" W	59.69'
L11	S 05°43'44" W	60.94'
L12	S 06°47'49" W	91.45'
L13	S 08°51'41" W	63.39'
L14	S 08°10'16" W	103.13'
L15	S 07°48'32" W	119.61'
L16	S 06°12'40" W	35.95'
L17	S 05°18'14" W	82.96'
L18	N 84°41'46" W	12.00'
L19	N 05°18'14" E	83.05'
L20	N 06°12'40" E	36.21'
L21	N 07°48'32" E	119.82'
L22	N 08°10'16" E	103.24'
L23	N 08°51'41" E	63.25'
L24	N 06°47'49" E	91.12'
L25	N 05°45'44" E	60.60'
L26	N 03°37'37" E	59.69'
L27	N 05°51'27" E	158.56'
L28	N 06°10'37" E	81.61'
L29	N 07°30'53" E	65.13'
L30	N 07°04'05" E	134.41'
L31	N 06°59'39" E	32.82'
L32	N 09°15'29" E	65.87'
L33	N 06°41'32" E	53.59'
L34	N 02°12'28" E	33.89'

LEGEND

- IRON PIN (FOUND)
- IRON PIN SET (NEW)
- CONC. MONUMENT (FOUND)

SURVEY EXHIBIT

EXHIBIT TO VACATE
BAUGH RD.
(LITTLEBURY)

THOMPSON'S STATION, TENNESSEE
11th CIVIL DISTRICT OF WILLIAMSON COUNTY

SEC, Inc. SITE ENGINEERING CONSULTANTS
 ENGINEERING • SURVEYING • LAND PLANNING
 LANDSCAPE ARCHITECTURE
 WWW.SEC-CIVIL.COM 850 MIDDLE TENNESSEE BLVD • MURFREESBORO, TENNESSEE 37129
 PHONE (615) 890-7901 • FAX (615) 895-2567

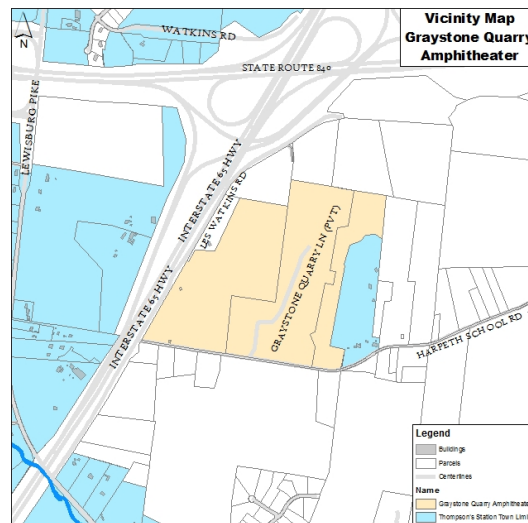
PROJ. # 17224	DATE: 10-15-2018 REV.:	FILE: 17224 BAUGH RD. EXHIBIT	DRAWN BY: ACAD/JWK	SCALE: 1" = 100'	SHEET 1 OF 1
------------------	---------------------------	----------------------------------	-----------------------	---------------------	-----------------

**Thompson's Station Board of Mayor and Aldermen
Staff Report - (SP 2018-008; DR 2018-005)
November 13, 2018**

Request for approval of a revision to the ordinance for the Specific Plan district (site plan). The revision includes the construction of a ticket booth, restrooms, three concession buildings, a first aid building and a storage building located at 4520 Graystone Quarry.

REQUEST

The applicant, Dale & Associates on behalf of Graystone Quarry is requesting approval for the construction of additional buildings to serve the event venue and amphitheater located at 4520 Graystone Quarry Lane.



BACKGROUND

The project site is located within Specific Plan zoning district and a site plan was approved for the development of an event venue which would be constructed in two phases. The first phase is complete with a single-family residence, a wedding pavilion and event barn. The next phase consists of a revision to the plan to permit an artist compound and stage for an amphitheater. The request also designated an area for concessions and restrooms however, these were to be temporary or portable structures. The request to amend the plan was submitted and approved with contingencies by the Board of Mayor and Aldermen on February 13, 2018.

On October 25, 2018, the Planning Commission approved the revisions to the site plan and recommended that the Board of Mayor and Aldermen adopt an ordinance amending the specific plan with the following contingencies:

1. Prior to the issuance of any permits, the amendment to the specific plan shall be complete.
2. Prior to the issuance of a building permit, the applicant shall obtain approval for the buildings from the DRC.
3. Prior to the issuance of building permits, the applicant shall obtain approval for a new private onsite wastewater treatment system.
4. Any change of use or expansion of the project site shall conform to the requirements set forth within the Land Development Ordinance and shall be approved prior to the implementation of any changes to the project.

On November 7, 2018, the Design Review Commission approved the design of the accessory buildings.

Site Plan

The overall project site is approximately 133 acres and is currently developed with the first phase of Graystone Quarry and the owner's residence. The first phase consists of a 10,426 square foot event center, a 5,090 square foot pavilion and an 8,233 square foot residence. Phase 2 will consist of an 8,100 square foot artist compound and stage which are approved however not constructed at this time. This proposed revision includes the construction of three concession stands for a total of 2,156 square feet, a 3,915 square foot restroom building, an 880 square foot ticket booth, an 864 square foot first aid building and a 5,000 square foot storage barn. The proposed buildings are setback on the site in proximity to the existing buildings with limited visibility from the road. The Specific Plan zoning district did not have any development standards other than the requirement for 40% open space for non-residential projects and 50% open space for residential projects. Approximately 74% of the site will be maintained in a predominantly natural state and no tree removals are proposed as part of these revisions. Access to the site is from Les Watkins Road and all parking is provided on site. No change to access or parking is proposed with the amendment to the site plan.

Wastewater Management

The site is currently served by a septic system, however, to expand the use, the applicant is proposing a private on-site system. The Board of Mayor and Aldermen reviewed the request for the private system and deferred the request until the November BOMA meeting. Staff does not typically recommend for approval of a project without approval of all utilities, however, the site does have a functioning septic system that is managing all the wastewater currently. Therefore, Staff recommended to the Planning Commission approval of the project with a contingency that prior to any permits, the applicant obtain approvals from the Tennessee Department of Environment and Conservation and the Board of Mayor and Aldermen necessary for the expansion of the use.

RECOMMENDATION

Based on the compliance with applicable standards of the Town's codes, the Planning Commission recommends that the Board of Mayor and Aldermen adopt an ordinance approving a revised plan for Graystone Quarry along with the Draft State Wastewater Operating Permit with the following contingencies:

1. Prior to the issuance of any permits, the amendment to the specific plan shall be final.
2. Prior to the issuance of building permits, the applicant shall obtain final approval from TDEC for the operation of a private onsite wastewater treatment system.
3. All applicable contingencies and traffic mitigation from previous approvals shall be adhered to with the development of the site.
4. Any change of use or expansion of the project site shall conform to the requirements set forth of the Town's Land Development Ordinance and the Specific Plan.

ATTACHMENTS

Ordinance 2018-017

ORDINANCE NO. 18-017

AN ORDINANCE OF THE BOARD OF MAYOR AND ALDERMEN OF THE TOWN OF THOMPSON'S STATION, TENNESSEE TO APPROVE A REVISED PLAN FOR THE EVENT VENUE AT 4520 GRAYSTONE QUARRY LANE (OFF OF HARPETH SCHOOL ROAD) AND TO APPROVE GRAYSTONE'S DRAFT STATE WASTEWATER OPERATING PERMIT

WHEREAS, Graystone Quarry is an approved event venue located on the north side of Harpeth School Road and is zoned Specific Plan in accordance with the zoning ordinance in effect at that time it was rezoned; and

WHEREAS, the developer of Graystone Quarry has requested approval of a revised plan to add a ticket booth, permanent restrooms, three (3) concession buildings, a first aid building and a storage building; and

WHEREAS, the developer has also requested approval of a draft State Operating Permit issued by the Tennessee Department of Environment and Conservation ("TDEC") for an onsite wastewater treatment facility; and

WHEREAS, the Board of Mayor and Aldermen of the Town of Thompson's Station has determined that the revised plan for Graystone Quarry is consistent with the General Plan and will not have a deleterious effect on surrounding properties or the Town as a whole and that the draft state operating permit for the event venue should be approved.

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

Section 1. That the previously approved plan for Graystone Quarry Amphitheater located at 4520 Harpeth School Road (Tax Map 144, Parcels 1.02 and 2.02) is hereby revised by the approval of the Commercial Phase II Site Plan attached hereto as Exhibit A and incorporated herein by reference, subject to the following conditions:

1. Prior to the issuance of any permits, the amendment to the specific plan shall be final.
2. Prior to the issuance of a building permit, the applicant shall obtain final TDEC approval for the operation of a private onsite wastewater treatment system.
3. All applicable contingencies and traffic mitigation from previous approvals shall be adhered to with the development of the site.
4. Any change of use or expansion of the project site shall conform to the requirements set forth of the Town's Land Development Ordinance and the Specific Plan.

The zoning for this territory shall remain Specific Plan (SP) and shall remain subject to all applicable other contingencies and conditions, previously approved by the Town.

Section 2. That the draft State Operating Permit issued by TDEC and attached hereto as Exhibit B is approved. If the Developer meets all TDEC requirements for the operation of the onsite wastewater system, no additional approvals from the Town shall be required.

Section 3. This ordinance shall take effect fifteen (15) days after passage and upon the publication of its caption in a newspaper of general circulation after final reading by the Board of Mayor and Aldermen, 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 ____ day of _____, 2018.

Corey Napier, Mayor

ATTEST:

Jennifer Jones, Town Recorder

Passed First Reading: _____

Passed Second Reading: _____

Submitted to Public Hearing on the ____ day of _____, 2018, at 7:00 p.m., after being advertised in the *Williamson AM* Newspaper on the ____ day of _____, 2018.

Recommended for approval by the Planning Commission on the ____ day of _____, 2018.

APPROVED AS TO FORM AND LEGALITY:

Todd Moore, Town Attorney

RESOLUTION NO. 2018-024

A RESOLUTION OF THE BOARD OF MAYOR AND ALDERMEN OF THE TOWN OF THOMPSON'S STATION TO AMEND ITS § 457 RETIREMENT PLAN TO PERMIT HARDSHIP LOANS

WHEREAS, the Town has adopted a § 457 retirement plan for its employees; and

WHEREAS, the Board of Mayor and Aldermen has determined that it is in best interest of the Town to amend the retirement plan to allow for hardship loans to employees under certain circumstances.

NOW, THEREFORE, BE IT RESOLVED BY BOARD OF MAYOR AND ALDERMEN OF THE TOWN OF THOMPSON'S STATION, TENNESSEE AS FOLLOWS:

Section 1, That the § 457 retirement plan of the Town is amended to allow for hardship withdrawals under circumstances and the following language shall be included in the plan:

Hardship Distribution –

For a hardship withdrawal from a 457 plan, the requirement is that the hardship must be "on account of an unforeseeable emergency." The qualifying reasons are:

- Medical expenses for participants, their spouses or dependents
- Payments necessary to prevent eviction or foreclosure on a principal residence
- Certain burial or funeral expenses for participants, parents, spouses or dependents
- Certain expenses for repairing principal residence

The amount of the hardship withdrawals is limited to salary contributions made by a participant. A significant advantage of the hardship withdrawal from a 457(b) account is that there is not a 10 percent IRS penalty for early distribution. It is the plan sponsor's responsibility to obtain each participant's proof of qualifying and provide to us to review. We charge the participant a \$60 fee to review and approve each hardship distribution request.

Loans –

When you take a loan, you repay the loan over five years, with one exception. If you use the loan to purchase a primary residence, the plan may allow you to repay the loan over a 15-year period. Repayments are added back into your plan. Repayments must be made at least quarterly and must include payments of both principal and interest. You do not have an immediate tax liability for the

withdrawal, nor do you incur a 10 percent early withdrawal penalty, regardless of your age.

Loans cannot exceed the lesser of \$50,000 or 50 percent of the participant's vested account balance.

It is important for you to know that if the loan does not meet certain conditions, the unpaid balance is considered a "deemed" distribution. This occurs if you do not repay on time. If you leave your employer without repaying the loan in full, it would also be a deemed distribution. Any outstanding balance is considered a deemed distribution, the unpaid balance will be taxable, and there could be (depending on your age) a 10 percent early withdrawal penalty. If you default on the loan, the amount of the loan in default can't be rolled over.

Section 2. That the sample participant loan program attached hereto as Exhibit "A" shall be also be adopted and used in administering hardship withdrawals.

Section 3. This resolution shall become effective on December 1, 2018, the public welfare requiring it.

Corey Napier, Mayor

ATTEST:

Jennifer Jones, Town Recorder

APPROVED AS TO LEGALITY AND FORM:

Todd Moore, Town Attorney

Passed first reading: _____

XYZ PLAN

PARTICIPANT LOAN PROGRAM

XYZ Plan permits loans to be made to Participants and their beneficiaries. However, before any loan is made, the Plan requires that a written loan program be established which sets forth the rules and guidelines for making Participant loans. This document shall serve as the required written loan program. In addition, the Administrator may use this document to serve as, or supplement, any required notice of the loan program to Participants and their beneficiaries. All references to Participants in this loan program shall only include Participants and their Beneficiaries or any alternate payee with respect to the Plan. Furthermore, it shall only include those individuals to the extent they are "parties in interest" as defined by ERISA Section 3(14).

The Administrator is authorized to administer the Participant Loan Program. A Participant must apply to the Administrator for a loan in the manner set forth by the Administrator.

1. Loan application. Any Participant may apply for a loan from the Plan. A Participant must apply for each loan with an application which specifies the amount of the loan desired, the requested duration for the loan and the source of security for the loan.

All loan applications will be considered by the Administrator within a reasonable time after the Participant applies for the loan. The Participant will be required to provide any supporting information deemed necessary by the Administrator.

2. Loan limitations and rules. The Administrator will not approve any loan to a Participant in an amount which exceeds 50% of his or her nonforfeitable account balance. The maximum aggregate dollar amount of loans outstanding to any Participant may not exceed \$50,000, reduced by the excess of the Participant's highest outstanding Participant loan balance during the 12-month period ending on the date of the loan over the Participant's current outstanding Participant loan balance on the date of the loan. With regard to any loan made pursuant to this program, the following rule(s) and limitation(s) shall apply, in addition to such other requirements set forth in the Plan:

- a. No loan in an amount less than \$1,000 will be granted to any Participant.
- b. A Participant can only have one (1) loan currently outstanding from the Plan.
- c. All loans made pursuant to this program will be considered a directed investment from the account(s) of the Participant maintained under the Plan. As such, all payments of principal and interest made by the Participant will be credited only to the account(s) of such Participant. The Plan also will charge that portion of the Participant's account balances with expenses directly related to the origination, maintenance and collection of the note.
- d. Loan refinancing is not permitted.

3. Account restrictions. Loans may be made from any of the Participant's accounts in the Plan.

4. Evidence and terms of loan. The Administrator will document every loan in the form of a promissory note signed by the Participant for the face amount of the loan, together with a commercially reasonable rate of interest.

Any loan granted or renewed under this program will bear an interest rate equal to 2% above the prime rate. The interest rate will be fixed for the duration of the loan.

The loan must provide at least quarterly payments under a level amortization schedule. Generally, the Administrator will require that the Participant repay the loan by agreeing to payroll deduction.

The Administrator will fix the term for repayment of any loan, however, in no instance may the term of repayment be greater than five years, unless the loan qualifies as a home loan. A "home loan" is a loan used to acquire a dwelling unit which, within a reasonable time, the Participant will use as a principal residence.

Unless the Participant is a "party in interest" on the day after his or her termination of employment with the Employer, a loan becomes due and payable when the Participant terminates employment with the Employer unless directly rolled over (if otherwise permitted) to another employer's plan.

A loan, if not otherwise due and payable, is due and payable on termination of the Plan, notwithstanding any contrary provision in the promissory note. Nothing in this loan policy restricts the Employer's right to terminate the Plan at any time.

Participants should note the law treats the amount of any loan (other than a "home loan") not repaid five years after the date of the loan as a taxable distribution on the last day of the five year period or, if sooner, at the time the loan is in default. If a Participant extends a non-home loan having a five year or less repayment term beyond five years, the balance of the loan at the time of the extension is a taxable distribution to the Participant.

5. Security for loan. The Plan will require that adequate security be provided by the Participant before a loan is granted. For this purpose, the Plan will consider a Participant's interest under the Plan to be adequate security. However, in no event will more than 50% of a

Participant's vested interest in the Plan (determined immediately after origination of the loan) be used as security for the loan. Generally, it will be the policy of the Plan not to make loans which require security other than the Participant's vested interest in the Plan. However, if additional security is necessary to adequately secure the loan, then the Administrator will require that such security be provided before the loan will be granted.

6. Form of pledge. The pledge and assignment of a Participant's account balances will be in the form prescribed by the Administrator.

7. Military service. If a Participant separates from service (or takes a leave of absence) from the Employer because of service in the military and does not receive a distribution of his or her account balances, the Plan shall suspend loan repayments until the Participant's completion of military service. The Employer will provide the Participant with a written explanation of the effect of the Participant's military service upon his or her Plan loan. While the Participant is on active duty in the United States military, the interest rate on the loan shall not exceed six percent (6%), compounded annually.

8. Leave of absence/suspension of payment. The Administrator will suspend loan repayments for a period not exceeding one year which occurs during an approved leave of absence, either without pay from the Employer or at a rate of pay (after applicable employment tax withholdings) that is less than the amount of the installment payments required under the terms of the loan. The Administrator will provide the Participant with a written explanation of the effect of the leave of absence upon his or her Plan loan.

9. Payments after leave of absence. When payments resume following a payment suspension in connection with a leave of absence authorized in 7 or 8 above, the Participant shall select one of the following methods to repay the loan, plus accumulated interest:

- a. The Participant shall increase the amount of the required installments to an amount sufficient to amortize the remaining balance of the loan, plus accrued interest, over the remaining term of the loan.
- b. The Participant shall pay a balloon payment of the remaining unpaid principal and interest, at the conclusion of the term of the loan as determined in the promissory note.
- c. The Participant may extend the maturity of the loan and reamortize the payments over the remaining term of the loan. In no event shall the amount of the adjusted installment payment be less than the amount of the installment payment provided under the promissory note. In the case of a leave of absence described in item 8 above, the revised term of the loan shall not exceed the maximum term permitted under item 4 above. In the case of a leave of absence described in item 7 above, the revised term of the loan shall not exceed the maximum term permitted under item 4 above, augmented by the time the Participant was actually in United States military service.

10. Default. The Administrator will treat a loan in default if:

- a. any scheduled payment remains unpaid beyond the last day of the calendar quarter following the calendar quarter in which the Participant missed the scheduled payment; or
- b. the Participant makes or furnishes any false representation or statement to the Plan.

The Participant will have the opportunity to repay the loan, resume current status of the loan by paying any missed payment plus interest or, if distribution is available under the Plan, request distribution of the note. If the loan remains in default, the Administrator will offset the Participant's vested account balances by the outstanding balance of the loan to the extent permitted by law. The Administrator will treat the note as repaid to the extent of any permissible offset. Pending final disposition of the note, the Participant remains obligated for any unpaid principal and accrued interest.

11. Fees. If you apply for a loan, you will be charged for Plan expenses associated with the loan. The application fee (including processing and document preparation) is \$125.00. All fees are subject to change.

* * * * *

ADOPTION OF LOAN PROGRAM

The Administrator of XYZ Plan adopts this Loan Program on the date specified below.

Date:

By: _____
Administrator

RESOLUTION NO. 2018-025

**A RESOLUTION OF THE TOWN OF THOMPSON'S STATION, TENNESSEE
TO APPROVE A CONTRACT ADDENDUM WITH BARGE DESIGN SOLUTIONS, INC. FOR
ON-CALL ENGINEERING AND CONSULTING SERVICES AND TO AUTHORIZE THE
MAYOR TO SIGN THE CONTRACT**

WHEREAS, the Town previously approved a professional services agreement with Barge Designs Solutions, Inc. for on-call professional engineering and consulting services; and

WHEREAS, the Board of Mayor and Aldermen has determined that it is in the best interest of the Town to approve a contract addendum with Barge Design Solutions, Inc. for an additional \$45,000 to continue to provide on-call professional services as needed by the Town.

NOW, THEREFORE, BE IT RESOLVED by the Board of Mayor and Aldermen of the Town of Thompson's Station as follows:

That the contract addendum, Additional Services Addendum Number 1, with Barge Design Solutions, Inc. attached hereto as Exhibit "A" is hereby approved, and the Mayor is authorized to sign the contract on behalf of the Town.

RESOLVED AND ADOPTED this ____ day of November 2018.

Corey Napier , Mayor

ATTEST:

Jennifer Jones, Town Recorder

APPROVED AS TO LEGALITY AND FORM:

Todd Moore, Town Attorney

Barge Design Solutions, Inc.

ADDITIONAL SERVICES ADDENDUM NUMBER 1

This addendum to the Professional Services Agreement dated August 17, 2018, between Town of Thompson’s Station (**Client**) and Barge Design Solutions, Inc. (**Barge**) is for additional services described as follows:

Project: General On Call Services

Project Description: General engineering services

I. PROFESSIONAL SERVICES: **Barge** agrees to perform the following additional services under this Addendum:

Barge will provide engineering services as directed by the Client through its Town Administrator. Engineering services may include but are not limited to planning, design services, bidding assistance, construction administration, resident project representation, surveying, development plat and construction plan reviews, construction inspection, traffic operations, project management, and engineering studies. Upon direction from the Town Administrator for each task, Barge will engage in the work necessary to complete the task in a timely manner. Work performed for each task will be billed as detailed below in Article II.

II. COMPENSATION: The compensation to be paid to **Barge** for providing the requested additional services shall be:

This addendum will add an additional \$45,000.00 to the amount approved in the Professional Services Agreement dated August 17, 2018. Compensation will be paid in accordance with Exhibit “A” of the Professional Services Agreement dated August 17, 2018.

III. TERMS AND CONDITIONS: Services performed under this addendum are subject to the same terms and conditions described in Items III through XIV of the Professional Services Agreement dated August 17, 2018

Town of Thompson’s Station		Barge Design Solutions, Inc.	
By:		By:	
Printed Name:	Corey Napier	Printed Name:	
Title:	Mayor	Title:	Title
Address:	P. O. Box 100 Thompson’s Station, TN 37179	Address:	615 Third Ave S Suite 700 Nashville, TN 37210



**Town of Thompson's Station
Cash Balance Report
As of October 31, 2018**

	Sep 2018	Oct 2018
General Fund:		
Checking Account	176,837	166,655
Money Market Investment Accounts	5,155,383	5,109,390
Total General Fund Cash	5,332,220	5,276,045
Less: Developer Cash Bonds Held	(169,300)	(103,100)
Less: County Mixed Drink Tax Payable	-	-
Less: Debt Principal and Interest Payments Due within 12 Months	(310,301)	(304,806)
Less: Hall Tax Refund Owed to State	(236,653)	(236,653)
Less: Adequate Schools Facilities Receipts (ITD starting Dec'07)	(326,363)	(326,363)
Less: Capital Projects (Project Budget)		
New Town Hall Construction Docs (75,600)	(18,980)	(18,980)
New Town Hall Construction		
Critz Lane Improvements	(2,849,600)	(2,579,520)
Critz Lane Redesign (596,000)	(24,820)	(24,820)
Grant Projects (Net after grant of \$1.6m received)		
Parks (265,000)	(94,102)	(80,334)
Cash Available - General Fund	1,302,101	1,601,468
Wastewater Fund:		
Checking Account	99,244	104,685
Money Market Investment Accounts	3,904,849	3,806,196
Total Wastewater Fund Cash	4,004,093	3,910,881
Less: Lagoon Clean Out (Professional Fees) (419,580+236,700)	(189,360)	(189,360)
Less: Debt Principal and Interest Payments Due within 12 Months	(122,567)	(122,340)
Less: Hood Development Prepaid System Dev. And Access Fees	(1,116,000)	(1,116,000)
Cash Available - Wastewater Fund	2,576,166	2,483,181
Total Cash Available	3,878,267	4,084,649



Town of Thompson's Station
 General Fund Revenue Analysis
 As of October 31, 2018

Year to Date
 Budget versus Actual

	Oct YTD 2018	Budget	% of Budget	Budget Remaining	Comment
General Government Revenues:					
31111 Real Property Tax Revenue	569	270,000	0%	269,431	
31310 Interest & Penalty Revenue	18	-		(18)	
31610 Local Sales Tax - Trustee	299,862	900,000	33%	600,138	
31710 Wholesale Beer Tax	30,506	95,000	32%	64,494	
31720 Wholesale Liquor Tax	4,458	15,000	30%	10,542	
31810 Adequate School Facilities Tax	16,713	70,000	24%	53,287	
31900 CATV Franchise Fee Income	11,573	25,000	46%	13,427	
32000 Beer Permits	7,125	600	1,187%	(6,525)	
32200 Building Permits	186,486	300,000	62%	113,514	
32230 Submittal & Review Fees	2,075	20,000	10%	17,925	
32245 Miscellaneous Fees	52,082	2,000	2,604%	(50,082)	
32260 Business Tax Revenue	3,878	75,000	5%	71,122	
33320 TVA Payments in Lieu of Taxes	-	50,000	0%	50,000	
33510 Local Sales Tax - State	98,953	350,000	28%	251,047	
33520 State Income Tax				-	
33530 State Beer Tax	-	2,000	0%	2,000	
33535 Mixed Drink Tax	6,551	12,000	55%	5,449	
33552 State Streets & Trans. Revenue	1,575	8,000	20%	6,425	
33553 SSA - Motor Fuel Tax	24,614	80,000	31%	55,386	
33554 SSA - 1989 Gas Tax	3,847	12,000	32%	8,153	
33555 SSA - 3 Cent Gas Tax	7,129	20,000	36%	12,871	
33556 SSA - 2017 Gas Tax	8,697	20,000	43%	11,303	
36120 Interest Earned - Invest. Accts	10,481	20,000	52%	9,519	
37746 Parks Revenue	15,997	20,000	80%	4,003	
37747 Parks Deposit Return	(3,930)	(5,000)	79%	(1,070)	
37990 Other Revenue	3,450	10,000	35%	6,550	
Total general government revenue	792,710	2,371,600	33%	1,578,890	
Non-Operating Income:					
32300 Impact Fees	238,450	550,000	43%	311,550	
38000 Transfer from Reserves	-	5,812,000		5,812,000	
Total non-operating revenue	238,450	6,362,000		6,123,550	
Total revenue	1,031,160	8,733,600		7,702,440	



Town of Thompson's Station
General Fund Expenditure Analysis
As of October 31, 2018

Year to Date
Actual versus Budget

	Oct YTD 2018	Budget	% of Budget	Budget Remaining	Comment
General Government Expenditures:					
41110 Salaries	163,888	600,000	27%	436,112	
41141 FICA	10,339	37,200	28%	26,861	
41142 Medicare	2,418	8,700	28%	6,282	
41147 SUTA	379	2,400	16%	2,021	
41161 General Expenses	190	1,000	19%	810	
41211 Postage	200	1,000	20%	800	
41221 Printing, Forms & Photocopy	1,092	7,500	15%	6,408	
41231 Legal Notices	315	3,000	11%	2,685	
41235 Memberships & Subscriptions	1,491	4,000	37%	2,509	
41241 Utilities - Electricity	3,747	12,000	31%	8,253	
41242 Utilities - Water	739	2,500	30%	1,761	
41244 Utilities - Gas	252	2,000	13%	1,748	
41245 Telecommunications Expense	1,670	5,000	33%	3,330	
41252 Prof. Fees - Legal Fees	62,325	100,000	62%	37,675	
41253 Prof. Fees - Auditor	8,000	16,000	50%	8,000	
41254 Prof. Fees - Consulting Engineers	36,049	50,000	72%	13,951	
41259 Prof. Fees - Other	30,790	40,000	77%	9,210	
41264 Repairs & Maintenance - Vehicles	4,150	5,000	83%	850	
41265 Parks & Recreation Expense	31,496	40,000	79%	8,504	
41266 Repairs & Maintenance - Buildings	6,723	20,000	34%	13,277	
41268 Repairs & Maintenance - Roads	22,561	819,300	3%	796,739	
41269 SSA - Street Repair Expense	35,561	140,000	25%	104,439	
41270 Vehicle Fuel & Oil	5,901	15,000	39%	9,099	
41280 Travel	1,553	2,500	62%	947	
41285 Continuing Education	914	5,000	18%	4,086	
41289 Retirement	7,845	30,000	26%	22,155	
41291 Animal Control Services	7,355	7,500	98%	145	
41300 Economic Development	6,299	7,500	84%	1,201	
41311 Office Expense	9,960	100,000	10%	90,040	
41511 Insurance - Property	21,443	3,600	596%	(17,843)	
41512 Insurance - Workers Comp.	10,021	13,000	77%	2,979	
41513 Insurance - Liability	5,723	5,300	108%	(423)	
41514 Insurance - Medical	20,625	90,000	23%	69,375	
41515 Insurance - Auto	2,880	2,100	137%	(780)	
41516 Insurance - E & O	10,032	11,000	91%	968	
41551 Trustee Commission	6	5,500	0%	5,494	
41633 Interest Expense - Note Payable	26,096	2,000	1305%	(24,096)	
41691 Bank Charges	1,050	-	0%	(1,050)	
41800 Emergency Services	100,000	145,000	69%	45,000	
41899 Other Expenses	-	10,000	0%	10,000	
Total general government expenditures	662,076	2,371,600	28%	1,709,524	
General government change in net position	130,634	-		(130,634)	
Non-Operating Expenditures:					
41940 Capital Projects	433,462	6,050,000	7%	5,616,538	
41943 Acquisition of Public Use Prop.	-	-		-	
41944 Captial Projects - Parks	9,916	-		(9,916)	
48000 Transfer to Reserves	-	-		-	
49030 Capital Outlay Note Payment	125,158	312,000		186,842	
Total non-operating expenditures	568,535	6,362,000		5,793,465	
Non-operating change in net position	(330,085)	-		330,085	
Total expenditures	1,230,612	8,733,600		7,502,988	
Change in Net Position	(199,452)	-		199,452	



Town of Thompson's Station
General Fund Revenue Analysis
As of October 31, 2018

Month to Month
Trend Analysis

	Sep 2018	Oct 2018	Current Change	Mthly Avg Actual	Mthly Avg Budget	(Over) Under	Comment
General Government Revenues:							
31111 Real Property Tax Revenue	-	-	-	142	22,500	22,358	
31310 Interest & Penalty Revenue	-	-	-	4	-	(4)	
31610 Local Sales Tax - Trustee	81,018	71,630	(9,388)	74,965	75,000	35	
31710 Wholesale Beer Tax	9,950	8,517	(1,433)	7,627	7,917	290	
31720 Wholesale Liquor Tax	1,365	909	(456)	1,115	1,250	135	
31810 Adequate School Facilities Tax	5,203	1,658	(3,545)	4,178	5,833	1,655	
31900 CATV Franchise Fee Income	-	4,217	4,217	2,893	2,083	(810)	
32000 Beer Permits	-	-	-	1,781	50	(1,731)	
32200 Building Permits	36,189	34,169	(2,020)	46,621	25,000	(21,621)	
32230 Submittal & Review Fees	550	350	(200)	519	1,667	1,148	
32242 Miscellaneous Fees	332	-	(332)	13,021	167	(12,854)	
32260 Business Tax Revenue	2,594	851	(1,743)	970	6,250	5,280	
33320 TVA Payments in Lieu of Taxes	-	-	-	-	4,167	4,167	
33510 Local Sales Tax - State	28,932	34,871	5,939	24,738	29,167	4,428	
33520 State Income Tax	-	-	-	-	-	-	
33530 State Beer Tax	-	-	-	-	167	167	
33535 Mixed Drink Tax	3,591	1,322	(2,269)	1,638	1,000	(638)	
33552 State Streets & Trans. Revenue	-	782	782	394	667	273	
33553 SSA - Motor Fuel Tax	8,537	7,921	(616)	6,154	6,667	513	
33554 SSA - 1989 Gas Tax	1,291	1,263	(28)	962	1,000	38	
33555 SSA - 3 Cent Gas Tax	2,392	2,339	(53)	1,782	1,667	(115)	
33556 SSA - 2017 Gas Tax	3,094	3,164	70	2,174	1,667	(507)	
36120 Interest Earned - Invest. Accts	2,637	2,708	71	2,620	1,667	(954)	
37746 Parks Revenue	5,798	1,574	(4,224)	3,999	1,667	(2,333)	
37747 Parks Deposit Return	(580)	(1,000)	(420)	(983)	(417)	566	
37990 Other Revenue	800	800	-	863	833	(29)	
Total general government revenue	193,693	178,045	(15,648)	198,177	197,633	(544)	
Non-Operating Income:							
32300 Impact Fees	55,882	43,513	(12,369)	119,225	45,833	(73,392)	
38000 Transfer from Reserves	-	-	-	-	484,333	484,333	
39995 Capital Outlay Note Proceeds	-	-	-	-	-	-	
Total non-operating revenue	55,882	43,513	(12,369)	119,225	530,167	410,942	
Total revenue	249,575	221,558	(28,017)	317,402	727,800	410,398	



Town of Thompson's Station
General Fund Expenditure Analysis
As of October 31, 2018

Month to Month
Trend Analysis

	Sep 2018	Oct 2018	Current Change	Mthly Avg Actual	Mthly Avg Budget	(Over) Under	Comment
General Government Expenditures:							
41110 Salaries	30,638	43,138	12,500	40,972	50,000	9,028	Oct BOMA/Commissioners pay
41141 FICA	2,023	2,675	652	2,585	3,100	515	
41142 Medicare	473	626	153	604	725	121	
41147 SUTA	48	123	75	95	200	105	
41161 General Expenses	-	-	-	47	83	36	
41211 Postage	100	100	-	50	83	33	
41221 Printing, Forms & Photocopy	273	273	-	273	625	352	
41231 Legal Notices	256	-	(256)	79	250	171	
41235 Memberships & Subscriptions	-	-	-	373	333	(39)	
41241 Utilities - Electricity	-	1,581	1,581	937	1,000	63	
41242 Utilities - Water	160	208	48	185	208	24	
41244 Utilities - Gas	84	84	-	63	167	104	
41245 Telecommunications Expense	385	405	20	418	417	(1)	
41252 Prof. Fees - Legal Fees	15,825	14,140	(1,685)	15,581	8,333	(7,248)	
41253 Prof. Fees - Auditor	-	-	-	2,000	1,333	(667)	
41254 Prof. Fees - Consulting Engineers	3,309	14,168	10,859	9,012	4,167	(4,845)	
41259 Prof. Fees - Other	15,000	1,255	(13,745)	7,698	3,333	(4,364)	
41264 Repairs & Maintenance - Vehicles	365	1,163	798	1,037	417	(621)	
41265 Parks & Recreation Expense	22,285	3,338	(18,947)	7,874	3,333	(4,541)	
41266 Repairs & Maintenance - Buildings	500	4,731	4,231	1,681	1,667	(14)	
41268 Repairs & Maintenance - Roads	1,827	1,798	(29)	5,640	68,275	62,635	
41269 SSA - Street Repair Expense	29,546	-	(29,546)	8,890	11,667	2,776	
41270 Vehicle Fuel & Oil	1,354	510	(844)	1,475	1,250	(225)	
41280 Travel	-	1,553	1,553	388	208	(180)	Oct TA canidates travel
41285 Continuing Education	110	719	609	229	417	188	
41289 Retirement	1,679	1,662	(17)	1,961	2,500	539	
41291 Animal Control Services	-	-	-	1,839	625	(1,214)	
41300 Economic Development	599	700	101	1,575	625	(950)	
41311 Office Expense	1,938	5,682	3,744	2,490	8,333	5,843	
41511 Insurance - Property	(1,250)	-	1,250	5,361	300	(5,061)	
41512 Insurance - Workers Comp.	245	-	(245)	2,505	1,083	(1,422)	
41513 Insurance - Liability	-	-	-	1,431	442	(989)	
41514 Insurance - Medical	3,775	4,313	538	5,156	7,500	2,344	
41515 Insurance - Auto	-	-	-	720	175	(545)	
41516 Insurance - E & O	-	-	-	2,508	917	(1,591)	
41551 Trustee Commission	-	-	-	2	458	457	
41633 Interest Expense - Note Payable	-	26,096	26,096	6,524	167	(6,357)	
41691 Bank Charges	521	-	(521)	263	167	(96)	
41800 Emergency Services	-	-	-	25,000	12,083	(12,917)	
41899 Other Expenses	-	-	-	-	833	833	
Total general government expenditures	132,068	131,041	(1,027)	165,519	197,800	32,281	
Non-Operating Expenditures:							
41940 Capital Projects	124,549	4,480	(120,069)	108,365	504,167	395,801	
41943 Acquisition of Public Use Prop.	-	-	-	-	-	-	
41944 Captial Projects - Parks	-	6,566	6,566	2,479	-	(2,479)	
48000 Transfer to Reserves	-	-	-	-	-	-	
49030 Capital Outlay Note Payment	-	151,254	151,254	31,290	26,000	(5,290)	
Total non-operating expenditures	124,549	162,300	37,751	142,134	530,167	388,033	
Total expenditures	256,617	293,341	36,724	307,653	727,967	420,314	



Town of Thompson's Station
Wastewater Fund Revenue and Expense Analysis
As of October 31, 2018

Year to Date
Actual versus Budget

	Oct YTD 2018	Budget	% of Budget	Budget Remaining	Comment
Revenues:					
3100 Wastewater Treatment Fees	379,875	925,000	41%	545,125	
3101 Septage Disposal Fees	1,950	10,000	20%	8,050	
3105 Late Payment Penalty	5,803	-		(5,803)	
3109 Uncollectible Accounts	-	(5,000)		(5,000)	
3500 Other Income	-	-		-	
4009 Returned Check Charges	-	-		-	
Total Revenues	<u>387,627</u>	<u>930,000</u>		<u>542,373</u>	
Operating Expenses:					
Supply and Operations:					
4010 Payroll Expense	41,609	170,000	24%	128,391	
4210 Permits & Fees Expense	758	7,500	10%	6,742	
4220 Laboratory Water Testing	1,579	5,000	32%	3,421	
4230 Supplies Expense	1,034	5,000	21%	3,966	
4240 Repairs & Maint. Expense	9,174	65,000	14%	55,826	
4250 Postage, Freight & Express Chgs	2,756	8,000	34%	5,244	
4280 Billing Charges	1,401	12,000	12%	10,600	
4310 Utilities - Electric	20,852	90,000	23%	69,148	
4320 Utilities - Water	904	5,000	18%	4,096	
4350 Telecommunications	592	2,500	24%	1,908	
4390 Insurance Expense	-	21,000	0%	21,000	
4395 Insurance - Employee Medical	1,230	20,000	6%	18,770	
4400 Prof. Fees-Consulting Engineers	85,318	68,000	125%	(17,318)	
4420 Prof. Fees - Auditor	-	2,000	0%	2,000	
4490 Prof. Fees - Other	121,706	64,200	190%	(57,506)	
4710 Payroll Taxes - FICA	2,187	10,000	22%	7,813	
4720 Payroll Taxes - Medicare	512	2,200	23%	1,689	
4730 Payroll Taxes - SUTA	22	3,600	1%	3,578	
4789 Employee Retirement Expense	1,840	7,500	25%	5,660	
4800 Bank Charges	522	500	104%	(22)	
4900 Other Expense	-	1,000	0%	1,000	
Total Supply and Operations	<u>293,994</u>	<u>570,000</u>	<u>52%</u>	<u>276,006</u>	
Depreciation					
4990 Depreciation Expense	120,000	360,000	33%	240,000	
Total Operating Expenses	<u>413,994</u>	<u>930,000</u>	<u>45%</u>	<u>516,006</u>	
Operating result	(26,367)	-		26,367	
Non-Operating Income (Expense):					
3300 Tap Fees	195,126	550,000	35%	354,874	
3902 Interest Income - Invest Accts	5,168	5,000	103%	(168)	
4100 Capital Expenditures	-	(300,000)	0%	(300,000)	
4994 Interest Expense	(4,439)	(13,000)	34%	(8,561)	
Total non-operating income	<u>195,856</u>	<u>242,000</u>	<u>81%</u>	<u>46,144</u>	
Change in Net Position	<u>169,489</u>	<u>242,000</u>	<u>70%</u>	<u>72,511</u>	



Town of Thompson's Station
Wastewater Fund Revenue and Expense Analysis
As of October 31, 2018

Month to Month
Trend Analysis

	Sep 2018	Oct 2018	Current Change	Mthly Avg Actual	Mthly Avg Budget	(Over) Under	Comment
Revenues:							
3100 Wastewater Treatment Fees	90,180	99,343	9,163	94,969	77,083	(17,885)	Sep: 31d Oct: 32d
3101 Septage Disposal Fees	-	900	900	488	833	346	
3105 Late Payment Penalty	5,090	4,037	(1,053)	1,451	-	(1,451)	
3109 Uncollectible Accounts	-	-	-	-	(417)	(417)	
3500 Other Income	-	-	-	-	-	-	
4009 Returned Check Charges	35	-	(35)	-	-	-	
Total revenues	95,305	104,280	8,975	96,907	77,500	(19,407)	
Operating Expenses:							
Supply and Operations:							
4010 Payroll Expense	9,759	9,061	(698)	10,402	14,167	3,764	
4210 Permits & Fees Expense	-	-	-	190	625	435	
4220 Laboratory Water Testing	591	313	(278)	395	417	22	
4230 Supplies Expense	1,345	(80)	(1,425)	258	417	158	
4240 Repairs & Maint. Expense	3,046	1,410	(1,636)	2,294	5,417	3,123	
4250 Postage, Freight & Express Chgs	631	456	(175)	689	667	(22)	
4280 Billing Charges	455	-	(455)	350	1,000	650	
4310 Utilities - Electric	6,949	7,165	216	5,213	7,500	2,287	
4320 Utilities - Water	185	262	77	226	417	191	
4330 Telecommunications	296	50	(246)	148	208	60	
4390 Insurance Expense	-	-	-	-	1,750	1,750	
4395 Insurance - Employee Medical	-	814	814	308	1,667	1,359	
4400 Prof. Fees-Consulting Engineers	19,803	32,790	12,987	21,329	5,667	(15,663)	
4420 Prof. Fees - Auditor	-	-	-	-	167	167	
4490 Prof. Fees - Other	-	121,706	121,706	30,426	5,350	(25,076)	First Response \$120k, MTAS \$1500
4710 Payroll Taxes - FICA	302	562	260	547	833	287	
4720 Payroll Taxes - Medicare	71	131	60	128	183	55	
4730 Payroll Taxes - SUTA	13	-	(13)	6	300	294	
4789 Employee Retirement Expense	395	453	395	460	625	165	
4800 Bank Charges	86	371	285	130	42	(89)	
4900 Other Expense	-	-	-	-	83	83	
Total supply and operations	43,927	175,464	131,874	73,498	47,500	(25,998)	
Depreciation							
4990 Depreciation Expense	30,000	30,000	-	40,000	30,000	40,000	
Total operating expenses	73,927	205,464	131,874	113,498	77,500	(35,998)	
Operating result	21,378	(101,184)	(122,899)	(16,592)	-	16,592	
Non-Operating Income (Expense):							
3300 Tap Fees	45,000	35,000	(10,000)	65,042	45,833	(19,209)	
3902 Interest Income - Invest Accts	1,265	1,309	44	1,723	417	(1,306)	
4100 Capital Expenditures	-	-	-	-	(25,000)	(25,000)	
4994 Interest Expense	(1,133)	(1,059)	74	(1,480)	(1,083)	396	
Total non-operating income	45,132	35,250	(9,882)	65,285	20,167	(45,119)	
Change in Net Position	66,510	(65,934)	(132,781)	48,694	20,167	(28,527)	



Town of Thompson's Station
 General Fund Capital Expenditures Report
 Fiscal Year to Date as of September 30, 2018

Capital Projects - General Fund	FY19 Budget	PTD 2019	Contracted Amt's in Place	Remaining Budget
a New Town Hall Design				
a New Town Hall Construction Documents	29,620	10,640		18,980
a New Town Hall Construction	1,200,000	0		1,200,000
a Critz Lane Realignment Construction		0		0
a Critz Lane Redesign	60,660	35,840		24,820
a Clayton Arnold / TS Road E. Intersection	0	381,045		(381,045)
a Critz Lane Improvements	2,850,000	270,480	266,000	2,579,520
b Grant Projects	1,811,211	0		1,811,211
b Land Purchase		0		0
d Parks	98,509	18,175		80,334
Total Capital Improvements	6,050,000	716,180	266,000	5,333,820

Projected Expenditures

Capital Projects - General Fund	Prior Expense	July 2018	August 2018	September 2018	October 2018	November 2018	December 2018	January 2019	February 2019	March 2019	April 2019	May 2019	June 2019	YTD Total
a New Town Hall Design														-
a New Town Hall Construction Documents			10,640											10,640
a New Town Hall Construction														-
a Critz Lane Realignment Construction														-
a Critz Lane Redesign			35,840											35,840
a Clayton Arnold / TS Road E. Intersection			256,495	124,550										381,045
a Critz Lane Improvements	15,600		400		4,480	250,000								270,480
b Grant Projects														-
c Land Purchase - Encompass														-
d Parks			4,407		6,566	7,202								18,175
Total Capital Improvements			307,782	124,550	11,046	257,202								716,180

Note: Capital Projects are accounted for in the following General Ledger accounts.

- a 41940 Capital Projects
- b 41942 Capital Projects - Grants
- c 41943 Acquisition of Public Use Prop.
- d 41944 Capital Projects - Parks

Permit #	Issue Date	Issued To	Type	Res./	New/Acc.	Sq Ft	Lot #	Subdivision	Address
1937	10/3/2018	Centric Architecture	Comm'l	Non-R	NEW	2,900	NA	Tollgate	1006 Elliston
1938	10/3/2018	GP Luxury LLC	SFR	RES	NEW	5,511	LOT 6052	Bridgemore	3647 Ronstadt Rd.
1939	10/5/2018	Shaw Enterprises	SFR	RES	NEW	4,926	LOT 5028	Bridgemore	3688 Ronstadt Rd.
1940	10/5/2018	Shaw Enterprises	SFR	RES	NEW	4,832	LOT 5036	Bridgemore	3683 Ronstadt Rd.
1941	10/5/2018	Shaw Enterprises	SFR	RES	NEW	4,326	LOT 5040	Bridgemore	3832 Everyman Way
1942	10/16/2018	Glenn Grayson Home Builder	SFR	RES	NEW	5,240	LOT 51	Tollgate	3152 Natoma Cir.
1943	10/19/2018	Summit Builders Corp	SFR	RES	NEW	4,074	LOT 1524	Tollgate	3295 Vinemont Dr.
1944	10/19/2019	Summit Builders Corp	SFR	RES	NEW	4,072	LOT 1525	Tollgate	3299 Vinemont Dr.
1945	10/26/2018	Shaw Enterprises	SFR	RES	NEW	4,906	LOT 5042	Bridgemore	3824 Everyman Way
1946	10/26/2018	Willow Branch Partners	TWN	RES	NEW	2,248	LOT 1267	Canterbury	3036 Sassafras Ln
1947	10/26/2018	Willow Branch Partners	TWN	RES	NEW	2,115	LOT 1268	Canterbury	3040 Sassafras Ln
1948	10/26/2018	Willow Branch Partners	TWN	RES	NEW	2,115	LOT 1269	Canterbury	3044 Sassafras Ln
1949	10/26/2018	Willow Branch Partners	TWN	RES	NEW	2,248	LOT 1270	Canterbury	3048 Sassafras Ln
1950	10/30/2018	GP Luxury LLC	SFR	RES	NEW	5,320	LOT 6053	Bridgemore	3643 Ronstadt Rd.
1951	10/30/2018	Lennar Homes	SFR	RES	NEW	3,134	LOT 1528	Tollgate	3311 Vinemont Dr.
1952	10/30/2018	Willow Branch Partners	SFR	RES	NEW	3,411	LOT 1151	Canterbury	2769 Cloister Ln.
1953	10/31/2018	Crescent Homes TN, LLC	SFR	RES	NEW	3,989	LOT 1516	Tollgate	3263 Vinemont Dr.

SFR: 12 TWN: 4 OTHER: 1 TOTAL: 17

New Residential Permits Issued 2014 -2018

Monthly Comparison

	<u>2014</u>	<u>2015</u>	<u>2016</u>	<u>2017</u>	<u>2018</u>
January	14	19	17	11	12
February	29	24	16	29	24
March	12	38	23	21	17
April	23	23	19	6	24
May	22	26	23	18	14
June	26	28	24	13	10
July	19	31	10	21	17
August	7	28	19	17	31
September	18	37	4	26	21
October	39	40	17	9	17
November	17	12	13	43	
December	33	27	13	8	
TOTAL FOR YEAR:	<u>259</u>	<u>340</u>	<u>198</u>	<u>222</u>	<u>187</u>
SFR:	<u>191</u>	<u>284</u>	<u>153</u>	<u>181</u>	<u>156</u>
TWN:	<u>63</u>	<u>49</u>	<u>39</u>	<u>33</u>	<u>22</u>
OTHER:	<u>5</u>	<u>7</u>	<u>6</u>	<u>8</u>	<u>9</u>

