



4-16-2008

Hot Topic: Joint Economic Development Boards Must Comply with Requirements of Public Chapter 1101

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Recommended Citation

Darden, Don, "Hot Topic: Joint Economic Development Boards Must Comply with Requirements of Public Chapter 1101" (2008). *MTAS Publications: Hot Topics*.
https://trace.tennessee.edu/utk_mtastop/50

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April 16, 2008

JOINT ECONOMIC DEVELOPMENT BOARDS MUST COMPLY WITH REQUIREMENTS OF PUBLIC CHAPTER 1101

(Updated June 2009) Don Darden, Municipal Management Consultant

The Tennessee Department of Economic and Community Development (ECD) will not approve grants for entities not in compliance with the requirements of Public Chapter 1101. Effective September 1, 2003, all state grant applications administered by ECD must include supporting documentation that the joint economic and community development board (1) is legally established and (2) is composed of the minimum required members, and (3) that the board and its executive committee have met according to state law. A copy of the interlocal agreement establishing the joint board and certified minutes shall be the minimum acceptable documentation. The department will accept applications where good faith efforts to meet are demonstrated by a schedule for both the board and executive committee indicating meeting dates between September 1, 2003, and June 30, 2004. By July 1, 2004, every local government applying for a state grant administered by ECD must provide records documenting that a minimum of four board meetings and four executive committee meetings were held during the previous 12 months.

Public Chapter 1101 requires that each county, and cities therein, establish a joint economic and community development board for the purpose of

“fostering communications with regard to economic and community development between and among governmental entities, industry, and private citizens.” Cities and counties generally have complied with the requirement that such joint boards be established.

T.C.A. § 6-58-114(f) requires that the board meet a minimum of four times annually and that the board’s executive committee meet at least four times annually. When applying for state grants, cities and counties are required to certify compliance with the requirements of T.C.A. § 6-58-114.

The commissioner is required by law to ensure local government compliance with Public Chapter 1101. The stakes are simply too high not to comply with the law. Accordingly, MTAS recommends that:

- Every city develop and maintain documentation proving the existence of a joint board by interlocal agreement with the minimum required members;
- Every joint board schedule the required four board meetings and four executive committee meetings for each year; and
- Every joint board maintain minutes proving that the board has met the required number of times for any given 12-month period.

April 16, 2008

**JOINT ECONOMIC DEVELOPMENT BOARDS MUST COMPLY WITH REQUIREMENTS
OF PUBLIC CHAPTER 1101**

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MTAS1374 • E14-1050-000-052-09