

RESOLUTION OF GOVERNING BOARD

WHEREAS, the Department of General Services, Property Utilization Division, by authority of the Federal Property and Administrative Services Act of 1949, as amended, makes available federal surplus personal property to public agencies for public purposes and to nonprofit, tax-exempt health and educational institutions, and

WHEREAS, Town of Spring Hill, hereafter referred to as the Applicant, is
(Applicant Organization)
desirous of utilizing the services and resources of the Department of General Services, Property Utilization Division, hereafter referred to as the State Agency, and

WHEREAS, the Applicant certifies that it is a public agency or nonprofit educational or health institution exempt from taxation under Section 501 of the U.S. Internal Revenue Code of 1954, and

WHEREAS, the Applicant further certifies that the property is needed and will be used for carrying out or promoting for the residents of a given political area one or more public purposes and for no other purpose, or be used for public health or educational purposes including research and for no other purpose, and

WHEREAS, the Applicant agrees that all items of property shall be placed in use for the purposes for which acquired within one year of receipt and shall be continued in use for such purposes for one year from the date the property was placed in use, and in the event the property is not so placed in use, or continued in use, the donee shall immediately notify the State Agency, and return said property to the State Agency, as directed, and

WHEREAS, the Applicant further agrees to adhere to any additional periods of restrictions placed on the property by the State Agency which shall include a total period of use restrictions for at least 18 months on all passenger motor vehicles and other items of property with a unit acquisition cost of \$5000 or more; and additional special terms, conditions, reservations and restrictions on aircraft, vessels, special limited or restricted use items, and other items as specified in a Conditional Transfer Document or written on the face of the distribution document, and

WHEREAS, the Applicant further agrees that during the period of restriction, it will not sell, trade, lease, lend, bail, encumber, or otherwise dispose of such property without prior approval of the General Services Administration or the State Agency, and in the event property is so disposed of without prior approval of the General Services Administration or the State Agency, the Applicant will be liable for the fair market value or the fair rental value of such property as determined by the General Services Administration or the State Agency, and

WHEREAS, the Applicant further certifies that it has the necessary funds to pay the handling or service charges or fees assessed by the State Agency and will remit such handling or services charges or fees within 90 days of receipt, and

WHEREAS, it is understood that all property acquired regardless of acquisition cost or service charges will be on an "as is", "where is" basis, without warranty of any kind, and

NAME OF ORGANIZATION	<u>Town of Spring Hill</u>
ADDRESS	<u>199 Town Center Parkway</u>
	<u>P O Box 789, Spring Hill, TN 37174</u>
PHONE NUMBER	<u>615-248-6307</u>

NOW THEREFORE BE IT RESOLVED THAT:

<u>Freeman Cowherd</u> (Name)	,	<u>Mayor</u> (Title)	,	<u>Freeman Cowherd</u> (Signature)
<u>Elwyn Bembry</u> (Name)	,	<u>City Administrator</u> (Title)	,	<u>Elwyn Bembry</u> (Signature)
<u>Ronald Coleman</u> (Name)	,	<u>Asst. Chief of Police</u> (Title)	,	<u>Ronald Coleman</u> (Signature)
<u>Billy Joe Hendricks</u> (Name)	,	<u>Supervisor Water/Streets</u> (Title)	,	<u>Billy Joe Hendricks</u> (Signature)
<u>June Quirk</u> (Name)	,	<u>Recorder</u> (Title)	,	<u>June Quirk</u> (Signature)

is (are) authorized as a legal representative of this organization and its Governing Board, and its heirs, assigns, and successors forever, to act on its behalf in acquiring federal surplus property and so obligate said organization and Governing Board to the certifications and agreements contained in this document and on the distribution document; and that such person or persons are further authorized, at his or her discretion, to further delegate this authority to any employee of the Applicant for the purpose of acquiring surplus property for use by the Applicant organization, and

That this authorization shall remain in full force and effect until revoked or revised by written notice of the Applicant to the State Agency. It is the responsibility of the Applicant to notify the State Agency of any changes of the above named representatives.

DATE 01-24-95 SIGNED Freeman Cowherd, Mayor
 Chief Executive Officer Title

TERM OF OFFICE EXPIRES 4-17-95

 This authorization or resolution has been adopted by the Governing Board at a regular or called meeting, thereof, held on the 16th day of January, 1995, and has been approved and placed in the minutes of said meeting.

DATE 01-24-95 SIGNED Freeman Cowherd, Mayor
 Chairman of the Board

PLEASE RETURN TO: DEPARTMENT OF GENERAL SERVICES
 PROPERTY UTILIZATION DIVISION
 6500 CENTENNIAL BOULEVARD
 NASHVILLE, TN 37243-0543

DEPARTMENT OF GENERAL SERVICES
STATE PERSONAL PROPERTY SECTION
6500 CENTENNIAL BLVD.
NASHVILLE, TENNESSEE 37209
(615) 741-4896

FOR DEPARTMENT OF GENERAL
SERVICES USE ONLY

DATE RECEIVED: _____

APPROVED _____ DISAPPROVED _____
COMMENTS: _____

ALL SALES SUBJECT TO PROVISIONS OF TCA 12-241

1. ANY DISPOSAL BEFORE END OF ONE (1) YEAR MUST BE APPROVED BY THE BOARD OF STANDARDS.
2. ANY PROFIT REALIZED FROM ANY DISPOSAL MUST REVERT TO THE STATE.

REQUEST TO QUALIFY

ORGANIZATION

OR ENTITY: Town of Spring Hill
OFFICIAL: Freeman Cowherd ADDRESS: P O Box 789, Spring Hill, TN 37174
TITLE: Mayor
PURCHASE ORDERS ARE _____ ARE NOT TELEPHONE: 615-248-6307
ISSUED BY ENTITY

AUTHORIZED PURCHASERS (Print or Type):

Freeman Cowherd
Elwyn Bembry
Ronald Coleman
Billy Joe Hendricks
June Quirk

SIGNATURES:

Freeman Cowherd
Elwyn Bembry
Ronald Coleman
Billy Joe Hendricks
June Quirk

I HEREBY REQUEST THAT OUR ENTITY BE PLACED ON THE LIST OF ELIGIBLE PURCHASERS OF STATE SURPLUS PROPERTY AND AGREE THAT ALL PURCHASES MADE WILL BE FOR THE USE OF AN ELIGIBLE ENTITY AND FOR NO OTHER. I CERTIFY THAT OUR ENTITY IS FINANCIALLY OBLIGATED FOR ALL PURCHASES MADE BY THOSE AUTHORIZED ABOVE TO DO SO AND WILL BE PAID FOR PROMPTLY.

I UNDERSTAND THAT ALL AUTHORITY TO PURCHASE PROPERTY BY THOSE LISTED ABOVE CEASES AT THE EXPIRATION OF MY TERM LISTED BELOW AND MUST BE RENEWED BY THE INCOMING OFFICIAL.

Freeman Cowherd
Signature of Organization Official

Mayor
Title of Official

Term of office expires: April 17, 1995

Authorities, Boards, Commissions or Agencies under the authority of a city, town or county government must also complete the following and have signed by the chief executive:

I HEREBY CERTIFY THAT THE TOWN OF SPRING HILL (NAME OF ENTITY)

HAS BEEN AUTHORIZED BY SPRING HILL BOARD OF ALDERMEN (NAME OF CITY OR COUNTY) TO CONDUCT ITS ACTIVITIES ON A NON-PROFIT BASIS FOR A PUBLIC PURPOSE. I UNDERSTAND THAT ALL AUTHORITY TO PURCHASE PROPERTY BY THOSE LISTED ABOVE CEASES AT THE EXPIRATION OF MY TERM LISTED BELOW AND MUST BE RENEWED BY THE INCOMING OFFICIAL

Freeman Cowherd, Mayor
Signature of City or County Chief Executive

Term of office expires: 4-17-95

~~ALL APPLICATIONS MUST BE NOTARIZED:~~

STATE OF TENNESSEE)
COUNTY OF Maury)
SWORN TO AND SUBSCRIBED BEFORE ME THE UNDERSIGNED, THIS THE
24 DAY OF January, 1995.
Ruth C. Wells NOTARY
MY COMMISSION EXPIRES: 8/21/96



RESCUE ORGANIZATIONS MUST ATTACH COPIES OF THEIR CHARTER AND CERTIFICATE OF MEMBERSHIP IN THE TENNESSEE ASSOCIATION OF RESCUE SQUADS.

RESOLUTION OF GOVERNING BOARD

WHEREAS, the Department of General Services, Property Utilization Division, by authority of the Federal Property and Administrative Services Act of 1949, as amended, make available federal surplus personal property to public agencies for public purposes and to nonprofit, tax-exempt health and educational institutions, and

WHEREAS, TOWN OF SPRING HILL, hereafter referred to as the Applicant, is (Applicant Organization) desirous of utilizing the services and resources of the Department of General Services Property Utilization Division, hereafter referred to as the State Agency, and

WHEREAS, the Applicant certifies that it is a public agency or nonprofit educational or health institution exempt from taxation under Section 501 of the U.S. Internal Revenue Code of 1954, and

WHEREAS, the Applicant further certifies that the property is needed and will be used for carrying out or promoting for the residents of a given political area one or more public purposes and for no other purpose, or be used for public health or educational purposes including research and for no other purpose, and

WHEREAS, the Applicant agrees that all items of property shall be placed in use for the purposes for which acquired within one year of receipt and shall be continued in use for such purposes for one year from the date the property was placed in use, and in the event the property is not so placed in use, or continued in use, the donee shall immediately notify the State Agency, and return said property to the State Agency, as directed, and

WHEREAS, the Applicant further agrees to adhere to any additional periods of restrictions placed on the property by the State Agency which shall include a total period of use restrictions for at least 18 months on all passenger motor vehicles and other items of property with a unit acquisition cost of \$5000 or more; and additional special terms conditions, reservations and restrictions on aircraft, vessels, special limited or restricted use items, and other items as specified in a Conditional Transfer Document or written on the face of the distribution document, and

WHEREAS, the Applicant further agrees that during the period of restriction, it will not sell, trade, lease, lend, bail, encumber, or otherwise dispose of such property without prior approval of the General Services Administration or the State Agency, and in the event property is so disposed of without prior approval of the General Services Administration or the State Agency, the Applicant will be liable for the fair market value or the fair rental value of such property as determined by the General Services Administration or the State Agency, and

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WHEREAS, it is understood that all property acquired regardless of acquisition cost or service charges will be on an "as is", "where is" basis, without warranty of any kind, and

DEPARTMENT OF GENERAL SERVICES
STATE PERSONAL PROPERTY SECTION
6500 CENTENNIAL BLVD.
NASHVILLE, TENNESSEE 37243-0543
(615) 741-1711

FOR DEPARTMENT OF GENERAL SERVICES USE ONLY

DATE RECEIVED: _____

APPROVED _____ DISAPPROVED _____
COMMENTS:

ALL SALES SUBJECT TO PROVISIONS OF TCA 12-241
1. ANY DISPOSAL BEFORE END OF ONE (1) YEAR MUST BE APPROVED BY THE BOARD OF STANDARDS.
2. ANY PROFIT REALIZED FROM ANY DISPOSAL MUST REVERT TO THE STATE.

REQUEST TO QUALIFY

ORGANIZATION

OR ENTITY: Town of Spring Hill

OFFICIAL: Freeman Cowherd

TITLE: Mayor

PURCHASE ORDERS ARE _____ ARE NOT X ISSUED BY ENTITY

ADDRESS: P O Box 789

(Location & Mailing) 199 Town Center Parkway

TELEPHONE: 248-6307

AUTHORIZED PURCHASERS (Print or Type):

Stephen Thomason

Clyde Farmer

Shane Whitt

SIGNATURES

[Signature]

[Signature]

[Signature]

I HEREBY REQUEST THAT OUR ENTITY BE PLACED ON THE LIST OF ELIGIBLE PURCHASERS OF STATE SURPLUS PROPERTY AND AGREE THAT ALL PURCHASES MADE WILL BE FOR THE USE OF AN ELIGIBLE ENTITY AND FOR NO OTHER. I CERTIFY THAT OUR ENTITY IS FINANCIALLY OBLIGATED FOR ALL PURCHASES MADE BY THOSE AUTHORIZED ABOVE TO DO SO AND WILL BE PAID FOR PROMPTLY.

I UNDERSTAND THAT ALL AUTHORITY TO PURCHASE PROPERTY BY THOSE LISTED ABOVE CEASES AT THE EXPIRATION OF MY TERM LISTED BELOW AND MUST BE RENEWED BY THE INCOMING OFFICIAL.

Freeman Cowherd Mayor
Signature of Organization Official Title of Official
Term of office expires: 4-17-95

Authorities, Boards, Commissions or Agencies under the authority of a city, town or county government must also complete the following and have signed by the chief executive:

I HEREBY CERTIFY THAT THE TOWN OF SPRING HILL (NAME OF ENTITY)

HAS BEEN AUTHORIZED BY SPRING HILL BOARD OF ALDERMEN (NAME OF CITY OR COUNTY) TO CONDUCT ITS ACTIVITIES ON A NON-PROFIT BASIS FOR A PUBLIC PURPOSE. I UNDERSTAND THAT ALL AUTHORITY TO PURCHASE PROPERTY BY THOSE LISTED ABOVE CEASES AT THE EXPIRATION OF MY TERM LISTED BELOW AND MUST BE RENEWED BY THE INCOMING OFFICIAL.

Freeman Cowherd
Signature of City or County Chief Executive
Term of office expires: 4-17-95

ALL APPLICATIONS MUST BE NOTARIZED:

STATE OF TENNESSEE
COUNTY OF Maury
SWORN TO AND SUBSCRIBED BEFORE ME THE UNDERSIGNED, THIS THE
24 DAY OF January, 1995.
Ruth O. Oakes NOTARY
MY COMMISSION EXPIRES: 8/21/96

RESCUE ORGANIZATIONS MUST ATTACH COPIES OF THEIR CHARTER AND CERTIFICATE OF MEMBERSHIP IN THE TENNESSEE ASSOCIATION OF RESCUE SQUADS.

NAME OF ORGANIZATION	Town of Spring Hill
ADDRESS	199 Town Center Parkway P O Box 789 Spring Hill, TN 37174
PHONE NUMBER	248-6307

NOW THEREFORE BE IT RESOLVED THAT:

<u>Stephen Thomason</u> (Name)	, <u>Chief of Police</u> (Title)	, <u><i>Stephen Thomason</i></u> (Signature)
<u>Clyde Farmer</u> (Name)	, <u>Fire Chief</u> (Title)	, <u><i>Clyde Farmer</i></u> (Signature)
<u>Shane Whitt</u> (Name)	, <u>Supt. WasteWater Dept.</u> (Title)	, <u><i>Shane Whitt</i></u> (Signature)
_____ (Name)	, _____ (Title)	, _____ (Signature)
_____ (Name)	, _____ (Title)	, _____ (Signature)

is (are) authorized as a legal representative of this organization and its Governing Board, and its heirs, assigns, and successors forever, to act on its behalf in acquiring federal surplus property and so obligate said organization and Governing Board to the certifications and agreements contained in this document and on the distribution document; and that such person or persons are further authorized, at his or her discretion, to further delegate this authority to any employee of the Applicant for the purpose of acquiring surplus property for use by the Applicant organization, and

That this authorization shall remain in full force and effect until revoked or revised by written notice of the Applicant to the State Agency. It is the responsibility of the Applicant to notify the State Agency of any changes of the above named representatives.

DATE 01-24-95 SIGNED *Freeman Cowherd* *Mayor*
Chief Executive Officer Title
 TERM OF OFFICE EXPIRES 4-17-95

This authorization or resolution has been adopted by the Governing Board at a regular or called meeting, thereof, held on the _____ day of _____, 19 _____, and has been approved and placed in the minutes of said meeting.

DATE 01-24-95 SIGNED *Freeman Cowherd*, *Mayor*
Chairman of the Board

PLEASE RETURN TO: DEPARTMENT OF GENERAL SERVICES
 PROPERTY UTILIZATION DIVISION
 6500 CENTENNIAL BOULEVARD
 NASHVILLE, TN 37243-0543

NONDISCRIMINATION ASSURANCE

Assurance to be executed by authorized representative of donee activity prior to receiving donations of surplus personal property from the State Surplus Property Agency on and after October 17, 1977.

Assurance of Compliance with GSA Regulations under Title VI of the Civil Rights Act of 1964, Section 606 of Title VI of the Federal Property and Administrative Services Act of 1949, as amended, Section 504 of the Rehabilitation Act of 1973, as amended, Title IX of the Education Amendments of 1972, as amended, and Section 303 of the Age Discrimination Act of 1975.

Town of Spring Hill

(Name of donee)

, hereinafter called the "donee," hereby agrees that

the program for or in connection with which any property is donated to the donee will be conducted in compliance with, and the donee will comply with and will require any other person (any legal entity) who through contractual or other arrangements with the donee is authorized to provide services or benefits under said program to comply with, all requirements imposed by or pursuant to the regulations of the General Services Administration (41 CFR 101-6.2, or 101-8) issued under the provisions of Title VI of the Civil Rights Act of 1964, Section 606 of Title VI of the Federal Property and Administrative Services Act of 1949, as amended, Section 504 of the Rehabilitation Act of 1973, as amended, Title IX of the Education Amendments of 1972, as amended, and Section 303 of the Age Discrimination Act of 1975, to the end that no person in the United States shall on the ground of race, color, national origin, sex, or age, or that no otherwise qualified handicapped person shall solely by reason of the handicap, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity for which the donee received federal assistance from the General Services Administration; and Hereby Gives Assurance That it will immediately take any measures necessary to effectuate this agreement.

The donee further agrees that this agreement shall be subject in all respects to the provisions of said regulations; that this agreement shall obligate the donee for the period during which it retains ownership or possession of any such property; that the United States shall have the right to seek judicial enforcement in interest of the donee and the word "donee" as used herein includes any such successor in interest.

Dated 01-24-95

Town of Spring Hill
Donee

199 Town Center Parkway

P O Box 789

Spring Hill, TN 37174

Donee mailing address

BY Freeman Cowford, Mayor
(President/Chairman of the Board
or comparable authorized official)

Return to:
Department of General Services
Federal Property Section
6500 Centennial Blvd.
Nashville, TN 37209

AN ORDINANCE CREATING THE POSITION OF
CITY ADMINISTRATOR AND SETTING
FORTH THE DUTIES OF THAT OFFICE

BE IT ORDAINED BY THE BOARD OF MAYOR AND ALDERMEN OF THE
TOWN OF SPRING HILL:

Sec. 1. Pursuant to and under the authority of Section 6-4-101 of Tennessee Code Annotated, Chapter 11 of Title 1 of the Spring Hill Municipal Code is amended to read as follows:

CHAPTER 11

CITY ADMINISTRATOR: CREATION OF POSITION AND DUTIES

SECTION
11-101. Office Established.

There is hereby created, pursuant to Section 6-4-101 of Tennessee Code Annotated, the position of City Administrator. This City Administrator shall be appointed by the Board of Mayor and Aldermen and shall serve at the pleasure of this Board.

SECTION
11-102. Duties.

The City Administrator shall be under the control and direction of the Board of Mayor and Aldermen to whom he shall report and be responsible. The City Administrator is authorized to perform all of the duties prescribed by 6-4-101 of Tennessee Code Annotated as the same may from time to time be amended, including specifically the following:

(a) The City Administrator shall be under the control and direction of the Board of Mayor and Aldermen. The City Administrator shall report and be responsible to this Board.

(b) The City Administrator shall be required to perform the following duties:

(1) Administer the business of the municipality;

(2) Make recommendations to the Board for improving the quality and quantity of public services to be rendered by the officers and employees to the inhabitants of the municipality;

(3) Keep the Board fully advised as to the conditions and needs of the municipality;

(4) Report to the Board the condition of all property, real and personal, owned by the municipality and recommend repairs or replacements as needed;

(5) Recommend to the Board and suggest the priority of programs or projects involving public works or public improvements that should be undertaken by the municipality;

(6) Recommend specific personnel positions, as may be required for the needs and operations of the municipality, and may propose personnel policies and procedures for approval of the Board;

(7) Perform such other duties as may from time to time be designated or required by the Board; and

(c) The City Administrator shall oversee, manage and supervise the duties of all employees of the Town of Spring Hill including department heads, the Chief of Police, the City Recorder, the Building Inspector, the Superintendent of Public Works and the Superintendent of the Sewer Disposal System. All of these individuals shall perform any lawful orders or directions from the City Administrator. All employees shall be under the control and supervision of the City Administrator who may prescribe their

duties and responsibilities and the hours in which they discharge their duties. The Board of Mayor and Aldermen may modify or revoke any such orders or directives.

(d) The City Administrator may suspend any employee of the Town of Spring Hill, including department heads, for dereliction of duty or failure to perform duties prescribed by him, the Mayor, or the Board of Mayor and Aldermen. Any such suspension shall be reported to the next meeting of the Board of Mayor and Aldermen which shall act on this suspension. Any suspension can be with or without pay in the discretion of the City Administrator, which decision may be reversed or modified by subsequent action of the Board of Mayor and Aldermen.

(e) The City Administrator may act as purchasing agent for the municipality in the purchase of all materials, supplies and equipment for the proper conduct of the municipality's business; provided that all purchases shall be made in accordance with the laws of the State of Tennessee and the policies, practices and procedures established by the Board of Mayor and Aldermen.

(f) The City Administrator shall prepare and submit the initial proposed annual budget and capital programs to the Board of Mayor and Aldermen.

Section
11-103. Compensation.

Compensation of the City Administrator shall be fixed by the Board. Until such time as changed by the Board of Mayor and Aldermen the City Administrator shall be paid the sum of Two Thousand Five Hundred Dollars (\$2,500.00) per month.

1995. Passed and adopted, this ____ day of _____,

FREEMAN COWHERD, MAYOR

ATTEST:

JUNE QUIRK, RECORDER

LEGAL FORM APPROVED:

ROBIN S. COURTNEY,
TOWN ATTORNEY

Passed on 1st Reading: _____
Passed on 2nd Reading: _____