

**STATE OF TENNESSEE**

OFFICE OF THE  
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Opinion No. 10-83

Authority of County Mayor to Block Soil Conservation District Board's Appointment to Coordinating Committee

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**QUESTION**

Is the county mayor authorized to veto the soil conservation district board's appointment pursuant to Tenn. Code Ann. § 6-58-104(a)(1)(E) of a member of the county coordinating committee charged with developing the recommended growth plan for the county?

**OPINION**

No. We could discover no authority for the county mayor to veto the soil district board's appointment of a member of the county coordinating committee.

**ANALYSIS**

Title 6, Chapter 58 of the Tennessee Code requires Tennessee counties to develop comprehensive growth plans to "direct the coordinated, efficient, and orderly development of the local government and its environs" and to address such issues as "land-use, transportation, public infrastructure, housing, and economic development." Tenn. Code Ann. § 6-58-107. In each county, a coordinating committee is charged with developing the initial recommended growth plan. *See* Tenn. Code Ann. § 6-58-104(a)(2). The coordinating committee's membership is required to be composed of the county mayor or designee; the mayor of each county municipality or designee; one member appointed by the governing board of the county's largest municipally-owned utility system; one member appointed by the governing board of the county's largest utility system that is not municipally-owned; one member appointed by the board of directors of the county's soil conservation district; one member appointed by the board of the county's largest local education agency; one member appointed by the county's largest chamber of commerce; two members appointed by the county mayor; and two members appointed by the mayor of the county's largest municipality. Tenn. Code Ann. § 6-58-104(a)(1)(A) through (H).

While the county mayor is a member of the coordinating committee and is authorized to appoint two additional members, the statute contains no language authorizing the county mayor to veto or block the appointment of any other member, including the member appointed by the board of the county's soil conservation district. *See generally* Tenn. Code Ann. § 6-58-104. Moreover, we discovered no such language elsewhere in Title 6, Chapter 58. Nor did we discover such language in Title 5, Chapter 6, which creates and sets out the duties and powers of county mayors; or in Title 43, Chapter 14, Part 2, which creates and sets out the powers and duties of soil conservation districts. Accordingly, we are left to conclude that the county mayor is not authorized to block or veto the soil conservation district board's appointment of a member of the coordinating committee pursuant to Tenn. Code Ann. § 6-58-104(a)(1)(E).

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