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Private Acts of 1975 Chapter 144

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We hope this information will be useful to you; reference to it will assist you with many of the questions that will arise in your tenure with county government. However, the *Tennessee Code Annotated* and other relevant laws or regulations should always be consulted before any action is taken based upon the contents of this document.

Please feel free to contact us if you have questions or comments regarding this information or any other CTAS website material.

Sincerely,

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Private Acts of 1975 Chapter 144

SECTION 1. That a Special School District be, and the same is hereby created and established, covering and including the 7th Civil District and parts of the 16th, 20th, 3rd, 21st, 11th, 12th and 18th Civil Districts of Gibson County, Tennessee, to be known as "Trenton Special School District", with boundaries as follows:

Beginning at a point of the intersection of the Humboldt-Gibson Wells Road and the Edison-Motley (Koffman) Road; thence north with the Edison-Motley Road to the intersection of the Fruitland-Edison Road; thence east with the Fruitland-Edison Road to the intersection of the Fruitland-Edison Road with U.S. Highway 45W; thence east with Fruitland and Gibson Road to the Eldad Road; thence with the Eldad Road north to the Sedberry Road; thence east with the Sedberry Road to its intersection with the Jim Jackson Road; thence north with the Jim Jackson Road to the Gibson-Trenton Road; thence northeast to the junction of the Airport Road and State Highway No. 104; thence east on Highway No. 104; thence east on Highway No. 104 to the junction of the Concord Road; thence north with the Concord Road to its intersection with the Cades Road; thence west with Cades Road to the junction of the Cades Road with the Laneview-Concord Road; thence west with Concord-Cades Road to the Junction of Squire White Road; thence with Squire White Road to its junction with Vaughn Grove Road; following Vaughn Grove Road easterly to its junction with the Laneview-Concord Road; thence northwesterly with the southwest margin of the Laneview-Concord Road to its junction with the Christmasville Road; thence west with the Christmasville Road to the junction of the Lawrence Campbell Road; thence northerly with the west margin of said road to its junction with the Laneview Concord Road; thence westerly with the south margin of the Laneview-Concord Road to its junction with Highway 54; thence with Kinsey Road to the junction of Skipp Barton Road; thence with the Barton Road to its junction with Goad and Grier's Chapel Road; thence with west with Grier's Chapel Road to its junction with U.S. Highway 45W; thence westerly with a diagonal line to a point in the Forked Deer River at a point in Albert Burch's northwest corner; thence south with Albert Burch's west line in a southerly direction to the bend in the Gum Woods Road as it runs in a southerly direction toward Highway 104; thence west with Gum Woods Road as it meanders to Highway 104 at the intersection of Roberts Road; thence south with Roberts Road to its intersection with the Old Trenton-Eaton Road; thence east with Old Trenton-Eaton Road to its intersection with Brazil-Elliott Store Road; thence south with the Brazil-Elliott Store Road to its intersection with the Frog Jump-Brazil Road; thence east with the Frog Jump-Brazil Road to the point of its junction with Highway 54; thence south with Highway 54 to its junction with the Humboldt-Gibson Wells Road; thence eastward with the Humboldt-Gibson Wells Road to the point of beginning.

As amended by: Private Acts of 1977, Chapter 78

SECTION 2. That Trenton Special School District shall be governed by a Board of Trustees of five (5) members, a majority of whom shall constitute a quorum for the transaction of business. The five members of said Board of Trustees shall be elected by the qualified voters residing in said special school district; provided that two (2) members of said Board of Trustees shall reside in that portion of said special school district lying outside of the city limits of Trenton, Tennessee; and one (1) member of the Board of Trustees may be a real property owner or a resident within the city limits of Trenton, Tennessee; and two (2) members of said Board of Trustees shall reside within that portion of said special school district lying in the city limits of Trenton, Tennessee. The members of said Board of Trustees shall be elected as follows:

The members designated as Member No. 1, appointed by this Act, shall serve for a period of one (1) year, and his successor shall be elected by the next general election after his term; Member No. 4 shall serve for a period of one (1) year and until his successor has been elected and qualified, and each of the successors shall serve for a two (2) year period, and all other appointed members of the Board shall serve for a two (2) year period. This will create a staggered term, leaving three (3) members on the Board with two years experience at all times, but after the initial appointment and election of new members each member shall serve for a period of two (2) years and until their successors have been elected and qualified, and thereafter all members shall be elected in the general election.

The First Board of Trustees shall consist of:

Member No. 1	Clarence Sirls
Member No. 2	R. L. Radford
Member No. 3	Mrs. Robert Holman
Member No. 4	Robert Gibson
Member No. 5	Grady Lewis

who shall hold office as provided herein, and until their successors shall be elected and qualified, as above provided.

In the event of a vacancy on the Board of Trustees, the remaining members of the Board shall fill the vacancy by appointment, such appointee to complete the remainder of the term for the vacated office; provided, however, that in filling such vacancy, the member appointed shall reside in the area designated in this Act wherein his predecessor resided.

In any and all elections of any of all members of said Board of Trustees residents of the entire Special School]District otherwise qualified shall be eligible to vote in the election thereof.

At the expiration of each term after the effective date of this act, the successor members shall be elected for a term of four (4) years until all members are serving four (4) year terms, and thereafter all terms shall be for four (4) years.

As amended by: Private Acts of 1977, Chapter 78
Private Acts of 1980, Chapter 336
Private Acts of 1984, Chapter 251

COMPILER'S NOTE: Private Acts of 1984, Chapter 251, contains a provision requiring that the Board of Trustees approve the amendment by 2/3 vote. The 1984 amendment added the last paragraph of Section 2, instituting a four-year term for Board members.

SECTION 3. That said first Board of Trustees hereinabove named shall, within fifteen (15) days after this act takes effect, qualify, meet, and elect a President, Vice President, Secretary, and Treasurer/Fiscal Agent from among the members of the Board of Trustees; provided, however, that such officers shall be residents of Trenton Special School District.

As amended by: Private Acts of 1980, Chapter 336

SECTION 4. That the members of the Board of Trustees shall serve without compensation. The Treasurer/Fiscal Agent shall enter into bond, with some solvent surety company, authorized to do business in Tennessee, in an amount to be fixed by the Board of Trustees, which bond shall be payable to the State of Tennessee, for the use and benefit of Trenton Special School District, and conditioned to account for and pay over all funds of the District that comes into his hands; the cost of said bond to be paid out of the Administration Fund belonging to the Special School District and hereinafter provided for.

As amended by: Private Acts of 1980, Chapter 336

SECTION 5. That the Board of Trustees of the said School District shall have general power and control over all of the schools operated by the District and the buildings and other property thereof and shall have the power to lease or rent any buildings or grounds for the use of the District or dispose of any property belonging to the District which is no longer needed. The Board shall further have general supervision over the employment of teachers, the fixing of their compensation, and such other powers as are pertinent to the Board of Education, and is expressly authorized to cooperate with and coordinate the activities of the District in the County Board of Education.

SECTION 6. (a) The Board of Trustees may, by resolution duly adopted by a majority of the entire membership of such board, authorize and issue from time to time notes, bonds and other debt obligations, including bond anticipation notes, in such principal amounts, maturing at such times not to exceed thirty (30) years from their date of issue, and bearing interest at such rates as may be determined by the Board of Trustees of the district, for the purposes for which the district was created and for the financing or refunding of existing debt obligations whether or not the same be fully defused.

(b) Such bonds, notes or other obligations shall be issued in fully registered form and shall be held at competitive public sale or at private negotiated sale, as determined by the Board of Trustees, for not less than ninety-seven percent (97%) of par value for the entire issue or series thereof plus accrued interest, if any, thereon; provided, however, if any part of such issue or series are to be sold at a zero percent (0%) rate of interest or at an original issue discount, such part may be sold at not less than ninety-seven percent (97%) of the original reoffering price of such discount obligations plus accrued interest, if any, thereon.

(c) In issuing notes, bonds and other debt obligations pursuant hereto, the district shall comply, to the extent not inconsistent herewith, with all applicable procedures and requirements of the Local Government Public Obligations Act of 1986, as amended (the "Act") (currently codified as Tennessee Code Annotated, Title 9, Chapter 21) or the comparable provisions of any successor act. For the purpose of determining the applicability of various provisions of the act, the district shall be considered a "local government", its Board of Trustees shall be considered its "governing body", and all notes, bonds and other debt obligations of the district which are payable from or secured, in whole or in part, by a pledge of revenues derived from taxes levied by the General Assembly against taxable real and/or personal property within the boundaries of the district shall be considered "revenue obligations" of the district.

(d) Notes, bonds and other debt obligations of the district issued pursuant to the authority hereof and the income therefrom shall be exempt from all state, county and municipal taxation in the State of Tennessee except for inheritance, transfer and estate taxes, and except as otherwise provided by general law.

(e) Notwithstanding the contrary provisions of any other provision hereof or of the act, notes, bonds and other debt obligations of the district may not be issued hereunder in anticipation of an increase in the tax rate on taxable property within the boundaries of the district.

As amended by: Private Acts of 1995, Chapter 54

SECTION 7. That the Tax Assessor of Gibson County shall, within sixty (60) days after this act takes effect, prepare a separate and complete list or book of all taxable property, real and personal, within said District, and furnish same to the County Trustee, for his use in making collection of said. taxes, and the assessment shall be set up on the general tax books by the Clerk of the County of Gibson County, Tennessee.

As amended by: Private Acts of 1980, Chapter 336

SECTION 8. [deleted and repealed by: Private Acts of 1995, Chapter 54.]

SECTION 9. [deleted and repealed by: Private Acts of 1995, Chapter 54.]

SECTION 10. That the proceeds of sale of any bonds hereunder shall be collected by the Treasurer/Fiscal Agent and shall be disbursed by him only upon order of the Board of Trustees upon check or voucher signed by the Treasurer/Fiscal Agent and countersigned by the Superintendent.

As amended by: Private Acts of 1980, Chapter 336

SECTION 11. (a) For the purpose of supporting and maintaining the schools of the Trenton Special School District, for supplementing the school funds for said District to provide for expenses of administration, current operating expenses, fixed charges, retirement of school bonds heretofore or hereafter issued, or the transportation of students within the District, there shall be levied a tax of two dollars and sixteen cents (\$2.16) on each \$100.00 of assessed valuation for all real and personal property in the Trenton Special School District as such assessed value appears on the tax records of Gibson County, Tennessee, for each respective year.

(b) The Tax Assessor of Gibson County shall prepare a separate and complete list or book of all taxable property, real and personal, within said District, and furnish same to the County Trustee, for his use in making collection of said taxes.

(c) All taxes assessed hereby are to be a lien upon the real and personal property within the District, and shall become due and delinquent as and when county taxes become due and delinquent.

(d) The taxes herein assessed shall become due and collected at the same time and in the same manner as taxes are collected under the general laws of the state by the Gibson County Trustee. The funds received by the Trustee of Gibson County as a result of this tax shall be paid over to the secretary-treasurer of the Board of Trustees of the Trenton Special School District and shall constitute a portion of the school funds for the Trenton Special School District, which funds shall be under the control of the Trustees of the District and used by them for the purposes for which the Trenton Special School District was created. The secretary-treasurer shall segregate the funds necessary to pay the principal and interest on bonds heretofore or hereafter issued, which funds shall be kept separate from the other funds. No funds of the Trenton Special School District shall be disbursed except by check or voucher signed by the secretary-treasurer and countersigned by the president of the Board of Trustees.

(e) The provisions of this section shall be valid notwithstanding any other provision of the law to the contrary including, but not limited to, the provisions of Title 2, Tennessee Code Annotated.

As amended by: Private Acts of 1981, Chapter 167
Private Acts of 1981, Chapter 183
Private Acts of 1986, Chapter 136
Private Acts of 1989, Chapter 107
Private Acts of 1995, Chapter 54
Private Acts of 2002, Chapter 137
Private Acts of 2004, Chapter 109
Private Acts of 2006, Chapter 100.

COMPILER'S NOTE: Private Acts of 1981, Chapter 167, was passed on May 25, 1981. That act added a new Section 11 which directed the Board of Trustees to set the school tax rate, not to exceed \$4 on every \$100 of taxable property, and required approval by a majority of the voters in the school district before the tax could be imposed or collected. The election was to have been held on June 25, 1981.

(Conditioning the effectiveness of a tax increase upon voter approval within a special school district was declared unconstitutional in *Gibson County Special School District v. Palmer*, 691 S.W.2d 544 (Tenn. 1985)). On July 23, 1981, the legislature passed Private Acts of 1981, Chapter 183, which also added a new Section 11, setting the tax rate at \$2.50, no local approval was required. Private Acts of 1986,

Chapter 136, increased the rate from \$2.50 to \$3.05. Private Acts of 1989, Chapter 107, changed the rate from \$3.05 to \$1.62, no local approval was required. Private Acts of 1995, Chapter 54, increased the rate from \$1.62 to \$2.07, no local approval was required.

Private Acts of 2002, Chapter 137, changed the rate from \$2.07 to \$1.71, no local approval was required.

SECTION 12. (a) All taxes collected by the County Trustee under the provisions of this act shall be paid over to the Treasurer/Fiscal Agent, who shall segregate such amounts as are needed to pay expenses other than debt service on bonds in an administrative fund.

(b) The amount so set apart into the administrative fund shall be kept separate from the funds for the payment of principal and interest on bonds, and no part of the administrative fund shall be disbursed except upon order of the Board of Trustees.

(c) No funds of Trenton Special School District shall be disbursed except by check or voucher signed by the Treasurer/Fiscal Agent and countersigned by the Superintendent.

As amended by: Private Acts of 2002, Chapter 137

SECTION 13. That if any provision of this Act or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the Act which can be given effect without the invalid provision or application, and to that end the provisions of this Act are declared to be severable.

SECTION 14. That this Act take effect on becoming a law, the public welfare requiring it.

Passed: May 15, 1975.

COMPILER'S NOTE: Private Acts of 1980, Chapter 337, provided for an advisory referendum relative to extending the boundaries of the Trenton Special School District. The Gibson County Registrar has indicated that the voters did not approve the measure.

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