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Private Acts of 1967-68 Chapter 354

Dear Reader:

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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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SECTION 1. That a non-profit Nursing and Rest Home District, to be known as Henry County Nursing and Rest Home District, is hereby created and established for an in behalf of Henry County, Tennessee.

SECTION 2. That said Nursing and Rest Home District shall consist of the following described tract of land, together with all buildings and other improvements thereon and all appurtenances thereunto belonging, located in the First Civil District of Henry County, Tennessee, and more particularly described as follows:

Beginning at a point in the South margin of Morningside Street, at the point where the East margin of Hospital Circuit intersects with said Morningside Street; thence with the East margin of Hospital Circie Street and curving Southwesterly with said street 581.80 feet to a stake; thence South 84 deg. 53 min. East 613.18 feet to a stake; thence North 4 deg. 02 min. East 513 feet to the South margin of Morningside Street; thence with the South margin of said Morningside Street, North 84 deg. 53 min. West 354 feet to the point of beginning.

SECTION 3. That said nursing and rest home shall be operated and controlled by a Board of Trustees five (5) in number, who shall be paid compensation at one-half the rate established by law from time to time for compensation for county commissioners attending meetings of the county commission.

As amended by:

Private Acts of 1985, Chapter 96

The initial members of the Board shall be Lucian Hastings, who shall serve for a term of one (1) year; R. T. Owens, who shall serve for a term of two (2) years; E. B. Riley who shall serve for a term of three (3) years; J. L. Oliver who shall serve for a term of four (4) years; and (one other member of the Board of Trustees to be elected by the County Court), who shall serve for a term of five (5) years. The terms of the initial members of the Board shall begin with the regular meeting of the Quarterly County Court of Henry County, Tennessee, at its July term.

For the first three months immediately after the official opening of said Nursing and Rest Home, the Board of Trustees shall consist of John McClure, Lucian Hastings, R. T. Owens, E. B. Riley and J. L. Oliver.

SECTION 4. That at the expiration of the term of office of each member of the Board, the Quarterly County Court at its next regular session shall elect his successor for a term of five (5) years. Should a vacancy occur on said Board for any reason, during the unexpired term of any member, then, in that event such vacancy shall be filled by the Quarterly County Court at its next regular meeting for the remainder of such unexpired term.

Members of said Board shall be citizens of Henry County, Tennessee. No person shall be a member of the Board if he is (1) an employee of the Board. Three members of the said Board of Trustees shall be members of the Quarterly County Court, Henry County, Tennessee, at the time of appointment.

The Board shall meet as soon as possible after its term of office begins for the purpose of (1) electing one of the members as Chairman, (2) the selection of a person to serve as Nursing and Rest Home Administrator, who shall be Chief Executive of the Nursing and Rest Home District and Secretary-Treasurer of the Board, who shall execute bond for the faithful performance of his said duties as Secretary-Treasurer in an amount to be fixed and determined by said Board. As soon as practicable the Board shall promulgate and record on permanent record the rules under which it will operate. The proceedings of all meetings shall be recorded in an official minute book which shall be a public record.

SECTION 5. That said Board shall hold regular meetings monthly on a date which it shall establish. The Board may on call of the Chairman hold special meetings at any time under rules which it shall establish. The Board shall have the responsibility and authority to control the property and facilities of the Nursing and Rest Home District; to purchase real estate with the approval of the Quarterly County Court, to sell, with approval and authorization of the Quarterly County Court, any portion of the real estate which the District owns and which is considered surplus to its needs in the performance of its mission; and to execute deed therefor when authorized so to do by the Quarterly County Court; to receive all monies for nursing and rest home purposes, including tax receipts from the County Trustee's office and to disburse all such monies in cash or by checks; to make contracts for goods and services; to establish rules and regulations governing the property of the District, its uses and management; to erect buildings; to employ, define the duties of, fix compensation of, and to discharge employees of the District; and otherwise to act for and in behalf of Henry County, Tennessee, in the discharge of its mission as set forth in Section 6, of this Act as follows:

SECTION 6. That the mission of the Nursing and Rest Home District shall be to manage the property of the said District and to provide nursing and rest home service of the highest quality consistent with the generally recognized standards of nursing and rest home service, and with the physical facilities provided

and with the limitations imposed by the budget. The Henry County Nursing and Rest Home has been organized for the purpose of housing, feeding, clothing and looking after the health, happiness, and general welfare of those persons who may qualify under the rules and bylaws as promulgated by the Board of Trustees for admittance as patients. Such services shall be rendered to any person who makes satisfactory financial arrangements for his service and who is certified for entrance under the rules of the Board of Trustees; and to any person regardless of financial arrangements, if (1) in the opinion of the Board of Trustees, the physical well being of the person is seriously and imminently endangered by delay in providing the services or (2) it is determined after due investigative procedure of the Board of Trustees or its delegated representatives that such person, if a resident of Henry County, is without any means whatsoever to pay for such services. No charity patients shall be admitted from outside Henry County, Tennessee, except as prior arrangements for pay for nursing and rest home services are made by another political subdivision.

SECTION 7. That said board shall, with the advice of the county executive, and in accordance with the budget law of Henry County, Tennessee, prepare and present to the county commission a suggested budget; and said board shall be governed in its operation by a budget adopted for it by the Henry County commission. The board shall make an informal financial statement in writing to each regular meeting of the county commission covering the previous three (3) months operations, and said statement shall further show that aggregate amount of accounts now owing by persons who have been discharged as patients from said nursing and rest home.

The books of the Nursing and Rest Home District shall be audited annually by a certified public accountant or a public accountant selected by the Board and County Judge, and approved by the Quarterly County Court; and said auditor's report shall be made to the County Judge and the Quarterly County Court at its first meeting following completion of said audit. All such financial statements, formal and informal, shall become a part of the minutes of the Quarterly County Court.

As amended by: Private Acts of 1975, Chapter 114
Private Acts of 1980, Chapter 313

SECTION 8. That the Quarterly County Court of Henry County, Tennessee, is hereby authorized to appropriate to the Nursing and Rest Home District from the general funds of the County such sums as may be required to commence the operation of said District, including all sums heretofore budgeted therein for nursing and rest home purposes, and also the sum derived and to be derived from the sale of Nursing and Rest Home bonds, now or to be in the hands of the County Trustee to commence the operation of said District. Thereafter to appropriate such sums collected from the levy of taxes for nursing and rest home purposes as may be required in the operation and maintenance of said District; and Henry County is authorized and empowered, also, to levy a tax for this purpose, not exceeding fifty (50) cents per one hundred dollars upon all taxable property within Henry County, Tennessee.

SECTION 9. That if any Section or part of a Section of this Act proves to be invalid or unconstitutional, the same shall not be held to invalidate or impair the validity, force or effect of any other Section or part of this Act, unless it clearly appears that such other Section or part of Section is wholly or necessarily dependent for its operation upon the Section or part of Section held to be unconstitutional or invalid.

SECTION 10. This Act shall have no effect unless it is approved by a two-thirds (2/3) vote of the Quarterly County Court of Henry County before December 1, 1968. Its approval or non-approval shall be proclaimed by the presiding officer of the Quarterly County Court and certified by him to the Secretary of State.

SECTION 11. This Act shall take effect from and after its passage, the public welfare requiring it.

Passed: March 11, 1968.

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