



July 22, 2024

Chapter I - Administration

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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Chapter I - Administration

County Attorney/County Law Director

Private Acts of 2006 Chapter 77

SECTION 1. The Office of the County Law Director for Anderson County, Tennessee, is hereby created and established and shall exist at all times from and after September 1, 2006. The office will be managed and supervised exclusively by the county law director.

SECTION 2. The Legal Services Advisory Committee is hereby created to assist with the implementation and establishment of the Office of the County Law Director and the development of its policies and procedures. The county law director will meet with the advisory committee to update and notify the members of recent legal issues within the county government at regular intervals to be determined by the advisory committee. The advisory committee shall monitor and provide oversight to the Office of the County Law Director and its director for the purpose of providing assistance when needed, evaluation concerns and monitoring for policy compliance purposes. The advisory committee will develop the job description and required qualifications for the law director and staff, and will also develop the selection process for the director's position. Upon two-thirds (2/3) majority vote the advisory committee will select and recommend a candidate for final confirmation by majority vote of the Anderson County legislative body. The voting members of the Legal Services Advisory Committee shall consist of the following elected officials of Anderson County.

1. County mayor,
2. County clerk,
3. Circuit court clerk,
4. Highway superintendent,
5. Assessor of property,
6. Register of deeds,
7. Sheriff,
8. Trustee, and
9. Three (3) members from the county legislative body, as selected by their membership.

The Legal Services Advisory Committee shall select a chairperson and secretary from their membership body. The chairperson shall be responsible for conducting each meeting and the secretary shall record and maintain the official minutes of the committee. These officers shall serve for one-year terms.

Nothing contained within this act shall prohibit the Legal Services Advisory Committee from commencing with their duties under this act prior to September 1, 2006.

SECTION 3. The county law director shall devote his or her full-time legal employment to the duties of the Office of the County Law Director and shall not represent any other clients in the practice of law while holding office as the county law director.

SECTION 4. The law director shall be a licensed Tennessee attorney; graduate of an ABA accredited law school; duly licensed and admitted to practice law in the courts of the State of Tennessee, Federal District Court for the Eastern District of Tennessee, Sixth Circuit Court of Appeals and the United States Supreme Court; and a resident of Anderson County, or capable of becoming a resident within six (6) months of appointment to the position. The Legal Services Advisory Committee is authorized to promulgate and establish additional mandatory job requirements and preferred job requirements for the position of county law director and his or her additional staff members.

SECTION 5. The annual salary of the county law director is hereby established at a minimum floor of ninety percent (90%) of the annual salary paid to the Anderson County General Sessions Court judges and shall be payable out of the general funds of Anderson County in equal installments on the same dates as other general fund employees. The county law director and his or her staff shall be eligible for all employee benefits offered to other Anderson County employees including, but not limited to: all insurance coverage plans and policies; retirement plans; vacation, sick and personal leave; holiday pay; and salary adjustments as authorized and approved by the county legislative body.

SECTION 6. It shall be the duty of the county law director of Anderson County to take the oath of office prescribed for other county officials by the county clerk and appropriate to his or her office before entering

upon the discharge of duties, and thereafter to transact all legal business of Anderson County.

SECTION 7. The duties of the county law director shall include, but are not limited to, the following:

- (a) Represent and render legal advice to the county legislative body and all county officials, including, elected and appointed department heads, employees and duly appointed boards, commissions and committees in matters relating to their official work and duties; and
- (b) Represent the county in all litigation, whether the county is suing or being sued in all state or federal courts, administrative boards and commissions; and
- (c) To meet with the county legislative body at all regular and special meetings; and
- (d) To act as the county's delinquent tax attorney upon selection as such by the county trustee and approval by the county mayor, as now provided by law, and without additional compensation. If the law director is selected as the county's delinquent tax attorney, all statutory fees allocated by general law to the county's delinquent tax attorney shall be deposited in the general fund of Anderson County and shall not be retained by the county law director; and
- (e) To draft, and/or approve, contracts, leases, deeds, or other legal instruments to which the county might be a party, or to review same when requested by county officials; and
- (f) To provide legal opinions on matters requested by county officials; and
- (g) To render opinions with regard to public finance obligations such as notes and bonds; and
- (h) To draft policies, procedures, rules and regulations upon the request of county officials, commissions, committees, boards or other governing bodies empowered to consider and/or adopt the same; and
- (i) To represent the county mayor in all fee petitions brought by the officials of the various fee offices; and
- (j) To monitor and evaluate any and all cases assigned to insurance counsel by the county's insurance carrier; and
- (k) To provide annual opinions to auditors regarding pending or threatened claims or litigation, in accordance with standards promulgated by the American Bar Association; and
- (l) In general, to act as general counsel for Anderson County and to perform all duties associated with that position.

SECTION 8. County officials should not employ any attorney other than the county law director to represent the county, or such official, unless additional or substitute counsel is approved by the county legislative body; otherwise, such official shall be personally responsible for the expense of the employment of such attorney. However, nothing contained herein shall prevent any county official, department or office of the county from employing its own counsel, if such official or entity has the power to employ its own counsel by general law and such employment complies with all budget requirements, finance laws and current budgetary appropriations. If a conflict in legal representation develops, the county law director may request that additional or substitute legal counsel be employed by written request to the county commission.

SECTION 9. The Anderson County Attorney's Office and the position of county attorney are hereby abolished and all private acts related to that position are hereby repealed. The county law director shall have the same power and authority, as conferred and mandated by state law, as Tennessee county attorneys have under general law; including, but not limited to, authority to file suit to abate nuisances, authority to remove unfaithful public officers, and the authority to enforce zoning and building code violations. The county law director shall otherwise act as the county attorney with all powers and duties granted to that position by state law. Nothing contained within this act shall be construed as having the effect of removing any incumbent from office or abridging the term of any official prior to the end of the term for which such official was elected.

SECTION 10. All necessary expenses incurred by the county law director in the discharge of his or her official duties shall be paid by Anderson County. All expenses shall be supported by receipted bills, receipts, invoices, and other documents and papers, and examined, audited and approved by the county mayor, or his designee, before payment, providing that they fall within the budget as established by the county legislative body.

SECTION 11. The county law director is hereby authorized to employ such staff members as may be necessary to fulfill his or her duties with the approval of the county legislative body and with salaries to be approved by the county legislative body. Staff members shall be payable out of the general funds of Anderson County in equal installments on the same dates as other general fund employees and shall serve

at the pleasure of the county law director.

SECTION 12. The county legislative body shall provide suitable rooms and/or office space, with the necessary appurtenances and conveniences, for the Office of the County Law Director and staff. The county legislative body shall also furnish said office or offices with the appropriate equipment, utilities, furniture, computers and supplies as may be needed by such offices, including appropriate legal research materials and resources, internet capabilities and a law library sufficient to carry out the duties of the county law director.

SECTION 13. The county legislative body may employ special counsel when, in its sole discretion, counsel other than, or in addition to, the law director is needed.

SECTION 14. The county law director may be terminated at any time with two-thirds (2/3) majority vote by the Legal Services Advisory Committee and two-thirds (2/3) subsequent approval by the county legislative body at their next regular scheduled meeting. The county law director will serve at the will of the Legal Services Advisory Committee and the county legislative body.

SECTION 15. All laws, and portions of laws, in conflict with the provisions of this act, including, but not limited to, Chapter 161 of the Private Acts of 1998, and all amendatory and preceding acts thereof in conflict with the provisions of this act be, and the same are, hereby repealed as of September 1, 2006.

SECTION 16. 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 17. This act shall have no effect unless it is approved by a two-thirds (2/3) vote of the legislative body of Anderson County. Its approval or nonapproval shall be proclaimed by the presiding officer of the Anderson County legislative body and certified to the secretary of state.

SECTION 18. For the purpose of approving or rejecting the provisions of this act, it shall be effective upon becoming a law, the public welfare requiring it. For all other purposes, it shall become effective September 1, 2006, if approved as provided in Section 17.

Passed: February 15, 2006.

County Clerk

Private Acts of 1947 Chapter 397

SECTION 1. That the Quarterly County Court of Counties having a population of not less than 26,500 and not more than 26,510, according to the Federal Census of 1940 or any subsequent Federal Census, is hereby authorized and is given the authority to employ Clerks for all County officers in said Counties.

SECTION 2. That any County Officer of said Counties who requires clerk hire and who is unable to employ said clerk hire because of lack of authority under the General Law may make application to the Quarterly County Court of said Counties, and, if authorized by the Quarterly County Court of said Counties, may employ clerks to help administer the affairs of his County office.

SECTION 3. That the Quarterly County Court of said Counties is hereby authorized to set the compensation for each clerk employed under the authority of this Act at any amount not exceeding \$1,200.00 per year.

SECTION 4. That the Legislature expressly declares that each section of this Act is severable and that should any portion of this Act be held unconstitutional or invalid, the same shall not affect the remainder of this Act, but such unconstitutional or invalid portions shall be deleted and that the Legislature declares that it would have enacted this Act with such unconstitutional or invalid portions deleted.

SECTION 5. That all laws in conflict with this Act are hereby repealed.

SECTION 6. That this Act shall take effect from and after its passage, the public welfare requiring it.

Passed: February 25, 1947.

Private Acts of 1953 Chapter 350

Whereas, the County Court Clerk of Anderson County has established an office at Oak Ridge in said County, operated by a deputy clerk, which renders an invaluable service to the citizens of Oak Ridge; and

Whereas, said office is maintained at a nominal expense and the best interest of the citizens of Oak Ridge and the adjoining area of Anderson County requires that said office should be continued;

Now, therefore,

SECTION 1. That the action of the County Court Clerk of Anderson County in establishing a branch office at Oak Ridge be and the same is hereby approved and ratified and all acts performed by said Clerk through the Oak Ridge office are hereby validated.

SECTION 2. That it shall be the duty of the County Court Clerk of Anderson County to continue to maintain a branch office at Oak Ridge in substantially the same manner as said office is now maintained.

SECTION 3. That this Act take effect from and after its passage, the public welfare requiring it.

Passed: April 1, 1953.

County Register

Private Acts of 2010 Chapter 37

SECTION 1. Chapter 394 of the Private Acts of 1947, and any other acts amendatory thereto, is hereby repealed.

SECTION 2. This act shall have no effect unless it is approved by a two-thirds (2/3) vote of the legislative body of Anderson County. Its approval or nonapproval shall be proclaimed by the presiding officer of such legislative body and certified to the Secretary of State.

SECTION 3. For the purpose of approving or rejecting the provisions of this act, it shall be effective upon becoming a law, the public welfare requiring it. For all other purposes, it shall become effective as provided in Section 2.

Passed: February 22, 2010.

Dumping Fees

Private Acts of 1980 Chapter 247

SECTION 1. The county legislative body of Anderson County may establish a fee for the privilege of dumping trash, refuse, debris, or garbage in Anderson County. Such fee shall be in an amount determined by the county legislative body of Anderson County, and shall be enforced and collected by such department or agency of Anderson County as may be designated by the county legislative body. Such fee shall not be applicable to dump sites used on an irregular or infrequent basis or ones on privately owned property used by the owner of that property to dispose of his own waste materials.

SECTION 2. Failure to pay the fee imposed by this Act shall be a misdemeanor and punishable as such.

SECTION 3. This Act shall have no effect unless it is approved by a two-thirds (2/3) vote of the county legislative body of any county to which it may apply before September 1, 1980. Its approval or nonapproval shall be proclaimed by the presiding officer of the legislative body of such county and certified by him to the Secretary of State.

SECTION 4. For the purpose of approving or rejecting the provisions of this Act, it shall be effective upon becoming a law, the public welfare requiring it. For all other purposes, it shall become effective upon being approved as provided in Section 3.

Passed: March 25, 1980.

Purchasing

Private Acts of 1951 Chapter 87

SECTION 1. That the County Judge of Anderson County is hereby designated as County Purchasing Agent of said county, whose duty it shall be to purchase any and all supplies and equipment for the use of county officials, employees and departments. Said County Purchasing Agent shall have the exclusive authority to enter into contracts for the purchase of supplies and equipment for the use of county officials, employees and departments. Said County Judge, acting as County Purchasing Agent, shall [sic] be charged with the full responsibility of carrying out the provisions of this Act, and he shall have sole power and authority to contract for and purchase materials, supplies and equipment of every kind whatsoever,

including insurance, for the use of all officials, agents, servants, departments, or agency of, supported by or under the control of the county government of Anderson County, Tennessee. The said County Purchasing Agent shall likewise have the sole power and authority to arrange for the purchase or rental of any and all real estate, machinery or other equipment where such purchases or rentals are to be paid out of any funds belonging to the county or any department or agency thereof. Provided, however, that this Act shall not apply to the school system and the road system of said county, and purchases for schools and roads shall not be made under this Act, but shall be made under the statutes applicable thereto.

SECTION 2. That all purchases or contracts for the purchase of supplies, equipment or material for use of any official, employee or department or agency of the county government of Anderson County, the estimated value of which shall exceed Three Hundred (\$300.00) Dollars, shall, except in emergencies or in instances hereinafter provided, be made by the County Purchasing Agent only after he shall have received at least three (3) written competitive bids for said purchases or contracts for purchase of such supplies, equipment, or materials, and such purchases or contracts for purchases shall be made only in accordance with the lowest and best bids or bidders.

Said County Purchasing Agent may reserve the right to reject any and all bids, either in whole or in part, when he shall deem advisable so to reject the same. When two or more bids are submitted at the same price and for the same character, kind and quality of supplies, equipment or materials, he may, in his discretion, award the contract to either of such bidders or may apportion the requirements between and among the respective bidders.

When, in the opinion of the said County Purchasing Agent or any official or agency of the County needing such supplies, equipment or materials, an emergency requires the immediate purchase, the purchasing agent may purchase or contract to purchase such supplies, equipment or materials without the necessity of competitive bids, and said purchasing agent may likewise dispense with competitive bids in all instances where he is unable to obtain competitive bids.

SECTION 3. That the purchasing agent shall keep a complete record of all purchases or contracts, with copies of the original bids submitted in writing, the names of the bidders together with the amounts of their respective bids, which records shall at all times be open to inspection by any interested party.

SECTION 4. That neither the County Purchasing Agent nor any agent, assistant or employee of the county shall be financially interested, or have any personal beneficial interest, either directly or indirectly, in the purchase of any supplies, materials or equipment for the county, nor in any firm, partnership, association or individual furnishing any such supplies, equipment or materials; nor shall the County Purchasing Agent or any assistant, agent or employee accept or receive, directly or indirectly, from any person, firm, corporation or association to whom any contract may be awarded, by rebate, gift or otherwise, any money or other thing of value or contract for future reward or compensation.

The said County Purchasing Agent may require security to accompany bids and fix the amount thereof; may govern the procedure for the delivery and storage of supplies, equipment or materials; may govern the method of requisition by any county official, agency or department of the county, and shall have the authority to regulate the distribution of articles, parts, supplies, equipment or materials among the county officials or departments; may prescribe the forms for estimates, requisition, orders, contracts and security; may establish definite or regular periods for submitting estimates or requisitions; may dispose of or trade in obsolete, excess or unsuitable supplies, equipment or materials, and salvage or transfer them to other agencies or departments of the county; may provide hearing for complainants with regard to the quality, grade or brand of supplies, equipment or materials; and may do and perform all other acts and things necessary or requisite to fully comply with the provisions of this Act.

SECTION 5. That the provisions of this Act shall not apply to the purchase or contracts for purchase of any supplies, equipment or materials that are deemed and sold as Surplus War Commodities, offered for sale or sold by the United States Government.

SECTION 6. That the County Judge, in his capacity as County Purchasing Agent, shall be paid an additional salary of Twenty Four Hundred (\$2,400.00) Dollars per annum, over and above the compensation that he is now receiving for the performance of other duties. Said additional salary shall be paid monthly out of the general county fund, beginning with the month of the effective date of this statute.

SECTION 7. That the General Assembly expressly declares that each section, paragraph, or clause of this Act is severable, and that should any portion of this Act be held unconstitutional or invalid, the same shall not affect the remainder of this Act, and such unconstitutional or invalid portion shall be elided, and the General Assembly declares that it would have enacted this Act with such unconstitutional or invalid portions elided therefrom.

SECTION 8. That this Act shall take effect from and after its passage, the public welfare requiring it.

Passed: January 31, 1951.

Compiler's Note: Information available to CTAS indicates that Anderson County has adopted and makes purchases according to the optional County Purchasing Law of 1957, codified at T.C.A. § 5-14-101, et seq.

Satellite Offices

Private Acts of 2015 Chapter 12

WHEREAS, the County Clerk and Trustee have established satellite offices in the Norris and Oak Ridge communities of Anderson County that provide beneficial services to area residents; and

WHEREAS, the Anderson County Board of Commissioners realizes the importance of these offices to the surrounding communities, and declares that the continuation of these branch offices is in the best interest of Anderson County;

Now, therefore,

SECTION 1. The actions of the County Clerk and Trustee in establishing branch offices in the Norris and Oak Ridge communities are hereby approved and ratified, and all official acts performed by the County Clerk, Trustee, and Deputy Clerk are hereby validated and declared legal.

SECTION 2. It shall be the duty of the Anderson County Clerk and Trustee to maintain branch offices in the Norris and Oak Ridge communities in substantially the same manner as said office is currently maintained.

SECTION 3. This act shall have no effect unless it is approved by a two-thirds (2/3) vote of the legislative body of Anderson County. Its approval or nonapproval shall be proclaimed by the presiding officer of Anderson County and certified to the secretary of state.

SECTION 4. For the purpose of approving or rejecting the provisions of this act, it shall be effective upon becoming a law, the public welfare requiring it. For all other purposes, it shall become effective as provided in Section 3.

Passed: May 18, 2015.

Solicitation Fee

Private Acts of 1980 Chapter 333

SECTION 1. Any person engaging in the business of soliciting orders or making future contracts for any type of merchandise, goods or other products or contributions for any cause in Anderson County shall register with the county zoning officer and pay a fee of ten dollars (\$10) prior to such solicitation. Provided, however, that any person soliciting for a non-profit or charitable organization shall not be required to pay such fee.

SECTION 2. This Act shall have no effect unless it is approved by a two-thirds (2/3) vote of the county legislative body of Anderson County. Its approval or nonapproval shall be proclaimed by the presiding officer of the legislative body and certified by him to the Secretary of State.

SECTION 3. For the purpose of approving or rejecting the provisions of this Act, it shall be effective upon becoming a law, the public welfare requiring it. For all other purposes, it shall become effective upon being approved as provided in Section 2.

Passed: April 18, 1980.

Administration - Historical Notes

County Attorney

The following acts once affected the appointment, election, or office of the county attorney in Anderson County. These acts are included for historical reference only.

1. Private Acts of 1947, Chapter 608, established a popularly elected office of county attorney in Anderson County. The term of office was two years. The annual salary was \$2,400. This act, as amended by subsequent acts noted below, was repealed by Private Acts of 1998, Chapter 161, reproduced herein.
2. Private Acts of 1955, Chapter 258, amended Private Acts of 1947, Chapter 608, to provide the county attorney with a sum of up to \$1,800 per year to defray the expenses of the office.
3. Private Acts of 1965, Chapter 141, amended Private Acts of 1947, Chapter 608, as amended by Private Acts of 1955, Chapter 258, to strike the language added by Private Acts of 1955, Chapter 258 and provide that the county attorney would receive an annual salary of \$4,800 and be reimbursed for actual expenses incurred in discharging the duties of the office and approved by the quarterly county court. Also, the original 1947 act was amended to change the term of office from two years to four years beginning with the person elected in August 1966.
4. Private Acts of 1973, Chapter 75, amended Private Acts of 1947, Chapter 608, as amended by Private Acts of 1955, Chapter 258, to provide that beginning July 1, 1973, the county attorney would receive an annual salary of \$7,500 and be reimbursed for actual expenses incurred in discharging the duties of the office and approved by the quarterly county court.
5. Private Acts of 1978, Chapter 295, amended Private Acts of 1947, Chapter 608, to authorize the quarterly county court to employ special legal counsel when it is its sole discretion, counsel other than the county attorney is needed, and such special counsel would be in exclusive control of the matters designated by the quarterly county court and be compensated as prescribed by the quarterly county court.
6. Private Acts of 1990, Chapter 224, was to create the position of a county law director and to repeal Private Acts of 1947, Chapter 608, however, the act was never properly ratified and approved at the local level. It must be noted that *Shepard's Tennessee Citations* lists Private Acts of 1990, Chapter 224, as an act in force, however, after consulting the Anderson County Clerk's Office it was found that the act never was approved at the local level.
7. Private Acts of 1998, Chapter 161, created the office of county attorney. This act was repealed by Private Acts of 2006, Chapter 77.

County Legislative Body

The following acts once applied to the quarterly court or the county legislative body of Anderson County and are included herein for historical purposes.

1. Acts of 1809, Chapter 93, set up schedules for the terms of the courts of pleas and quarter sessions in every county of the state. In Anderson County the court would meet on the second Monday in January, April, July, and October, with a proviso that all process be made to conform to those dates.
2. Private Acts of 1819, Chapter 145, made it lawful for the quarterly court of Anderson County, a majority of the justices being present, to order and direct that any county monies, not otherwise appropriated, to be applied to the payment of whatever expense would be necessary to finish and complete the new courthouse.
3. Private Acts of 1824 (2nd Sess.), Chapter 99, repealed the former act which allowed the county court to levy a tax to build a courthouse, prison, and stocks in the county.
4. Private Acts of 1826, Chapter 56, allowed the county court of Anderson County to lay a tax, not to exceed the amount of the state tax, to secure the necessary land and erect the essential building to accommodate the poor people of the county. The court could appoint three commissioners to supervise the program and the operation of the facilities once they were completed. The commissioners were to be sworn into office and bonded and the court was authorized to expend whatever funds were available for the benefit of the indigent poor.
5. Public Acts of 1829, Chapter 20, stated that the justices of the peace of the counties of Fentress, Carroll, Gibson, Dyer, Knox, Anderson, Obion, and Henderson could, at their first meeting of the year, on the first day, select three of their number to hold court for the remainder of the year under same regulations applicable to the full court. Their compensation was set at \$1.50 per day for each day spent in the discharge of this obligation. The court was permitted to levy a tax of \$1.00 on each suit filed in the court to pay the above compensation, if necessary.
6. Private Acts of 1921, Chapter 821, authorized the justices of the peace of Anderson County to be

- paid \$3.00 per day for each day of attendance at all regular and called meetings of the quarterly county court and in addition they would be paid such mileage allowance as authorized by law.
7. Private Acts of 1955, Chapter 416, was not acted on by local authorities according to our information from the secretary of state's office and consequently would never become an effective law. The act gave the quarterly county court of Anderson County the authority to regulate by ordinance, in areas outside of cities having zoning powers, the location, height, and size of buildings, lot occupancy and use, size of yards, courts, and other open spaces and in other areas related to land use and planning. The court could enact, or adopt by reference, any electrical, building, or plumbing code provided the conditions of this act were met. Many detailed requirements and regulations concerning land use, occupancy, and related matters, affecting the health, safety, morals, convenience, order, prosperity, and welfare of the present and future inhabitants of the counties could be enacted and enforced under the terms and conditions of this act.
 8. Private Acts of 1959, Chapter 359, would have compensated the justices of the peace in Anderson County at the rate of \$25 per day for each day's attendance at the meetings of the quarterly court, and in the amount of \$6.00 per day for attending committee meetings but, only for one day in each month, and, in addition each justice would be paid ten cents per mile travel allowance from home to court and return. This act was rejected by the quarterly court of Anderson County and never became a law.
 9. Private Acts of 1967-68, Chapter 356, authorized that members of the county court to receive \$20 for each days attendance in addition to the mileage provided by law.

County Mayor

The references below are of acts which once applied to the office of county judge, or county executive in Anderson County. They are included herein for historical purposes only. Also referenced below are acts which repeal prior law without providing new substantive provisions.

1. Public Acts of 1868-69, Chapter 35, Sections 15 through 28 created the office of county judge for Anderson County who would be elected by the people for eight year terms, the first election to occur at the next general county election. The judge would be sworn and commissioned as other judges were; was given all the duties and responsibilities of the chairman; and would hold meetings of the court on the first Monday in each month. The business of the quarterly court would proceed the business of the regular court in those months in which the quarterly court would meet. Quorum courts were abolished and their duties transferred to the judge. The county court clerk would do services as the clerk. The county judge would also serve as the general county agent and accounting officer, some of whose duties were specifically described, for all of which a salary of \$200 annually was established with the proviso of the quarterly court increasing that amount, if desired. The governor would appoint a successor if a vacancy occurred. This act was repealed by Public Acts of 1869-70, Chapter 111.
2. Public Acts of 1868-69, Chapter 44, Section 6, amended the act creating the office of county judge in Anderson County so as to increase the annual salary to \$500 and to change the time for the election of the judge from the first Saturday in May, 1869 to the fourth Thursday in May, 1869 so as to conform to the date of the general election in Anderson County.
3. Acts of 1907, Chapter 113, established the office of county judge in Anderson County who must be learned in the law and otherwise legally qualified; which office would be filled by the governor as soon as practicable after the passage of this act. At the first regular election of county officers after the passage of this act the judge would be elected by the people. The judge must be sworn, bonded, and commissioned as all other judges. The position of chairman was abolished and those duties transferred to this office. The annual salary of the judge was \$800, payable in equal monthly installments out of general county revenues, which would constitute the whole salary of the judge. The judge was precluded from practicing law in the court over which he presided. The office of county judge was abolished by Private Acts of 1974, Chapter 237, Section 5.
4. Private Acts of 1911, Chapter 58, amended Private Acts of 1907, Chapter 113, above, so as to give the county judge the power to preside over juries of inquest over the bodies of deceased persons, as a coroner, but he would not be paid anything for this responsibility.
5. Private Acts of 1921, Chapter 663, amended Acts of 1907, Chapter 113, Section 2, by removing therefrom the requirement that the county judge be a licensed attorney and inserted a provision that he be "learned in the law" in its place. The section was further amended by allowing the judge added compensation for his service as an accounting officer and general agent for Anderson County in an amount prescribed by the resolution of the county court.

6. Private Acts of 1929, Chapter 871, amended Acts of 1907, Chapter 113, Section 7, by fixing the annual compensation of the county judge at \$1,500, payable in equal monthly installments out of general county revenues but no compensation would be allowed to the judge for ex-officio services. See *Brown v. Harris*, 180 Tenn. 81, 171 S.W.2d 815 (1943).
7. Private Acts of 1965, Chapter 6, would have amended Acts of 1907, Chapter 113, by deleting Section 6 and adding a provision giving to the county judge all the powers, duties, and responsibilities of the purchasing agent and the fiscal agent of Anderson County in addition to those which were placed upon him as county judge by the general law. The county judge would not have jurisdiction to try any causes of action or conduct any legal proceedings of which either the circuit court, or the chancery court had jurisdiction. Section 2 was amended to prohibit the judge from the practice of law while serving as county judge. This act was rejected by the quarterly court of Anderson County and never became an effective law.
8. Private Acts of 1974, Chapter 237, set up the position of county administrator and abolished the office of county judge in Anderson County. Private Acts of 1974, Chapter 237, was superseded by Public Acts of 1978, Chapter 934.

County Register

The following acts once affected the office of county register in Anderson County, but are no longer operative.

1. Private Acts of 1927, Chapter 26, fixed the salary of the county register of Anderson County (identified by the use of the 1920 Federal Census) at \$100 per month, provided the county register would file with the county judge, or chairman, a sworn, itemized statement showing all the fees collected in the office for that month. If the fees were less than the salary, the county would pay the difference to the county register; if the fees were more than the salary, the county register was allowed to keep the excess.
2. Private Acts of 1947, Chapter 394, provided that counties having a population of not less than 26,500 and not more than 26,510 (1940 census figures) required deeds for the conveyance of land to be presented to county and city tax assessor offices prior to being registered with the register's office. This act was repealed by Private Acts of 2010, Chapter 37.
3. Public Acts of 1981, Chapter 57, provided for a \$6.00 fee for the register to record each and every instrument or assignment of an instrument mentioned on a regular size page instead of just one fee for the entire page; Chapter 221 increases the fees to be charged by the county registers under the provisions of the Uniform Commercial Code; and Chapter 398 made the preparer of an instrument responsible for the citation to the immediately preceding recording if the information is available to him.
4. Public Acts of 1981, Chapter 405, was the legal authority for the county register of Anderson County (1970 census figures) to refuse to record any writing eligible for registration if the writing, in the discretion of the county register, is not legible or suitable for reproduction. If the illegible writing is accompanied by an affidavit stating it is the best copy available, or the original, the county register shall accept such writing for recordation notwithstanding.

County Service Officer

The following acts once affected the office of county service officer in Anderson County, but are no longer operative.

1. Private Acts of 1947, Chapter 396, created the position of county service officer. This act was repealed by Private Acts of 2023, Chapter 13.

County Trustee

The following acts once affected the office of county trustee in Anderson County, but are no longer operative.

1. Private Acts of 1933, Chapter 507, stated that the county trustee of Anderson County would be entitled to receive an annual salary of \$3,000 maximum, payable out of the fees of the office, and provided further that the terms of the 1932 Code with reference to the payment of clerical help would not be affected.
2. Private Acts of 1939, Chapter 376, recited in the preamble that the general assembly enacted a law in Private Acts of 1933, Chapter 507, above, which reduced the compensation of the county trustee of Anderson County, and which was declared to be unconstitutional by the chancery court

of Anderson County. It was the intention of this act to authorize the quarterly county court to recompense its preceding trustee, Jerome Robbins, for the amount of compensation of which the unconstitutional act deprived him. The further authority to appropriate the money and to pay the same to Robbins was specified in the law.

General Reference

The following private or local acts constitute part of the administrative and political history of Anderson County but are today no longer operative because they have either been superseded, repealed, or failed to receive local approval.

1. Acts of 1801, Chapter 5, provided for the inspection of certain commodities held out for public sale by inspectors who were to be employed and trained for that purpose. Among the commodities to bear inspection before sale were pork, beef, lard, butter, hemp, and a host of others. Inspection points and warehouses for storage were named in each county. In Anderson County the warehouse would be located at the mouth of Powell's River at Grantsborough.
2. Private Acts of 1819, Chapter 145, made it lawful for the quarterly court of Anderson County, a majority of the justices being present, to order and direct that any county monies, not otherwise appropriated, to be applied to the payment of whatever expense would be necessary to finish and complete the new courthouse.
3. Private Acts of 1826, Chapter 125, was the legal authority for Charles McCormick, of Anderson County, to hawk and peddle goods, wares, and merchandise in Anderson County without having to obtain a license to do so.
4. Private Acts of 1827, Chapter 90, allowed Isaac Miller and Lewis Miller to build a mill on the Clinch River in Anderson County on the south side of the river immediately below Cloud's Ford and near the place where William Nelson now lives, provided that the mill did not obstruct the navigation of the river. If the mill did interfere with the navigation of the river, a civil suit for remedy would lie.
5. Private Acts of 1827, Chapter 112, revived and restored the act which authorized the court of pleas and quarter sessions of Anderson County to build a house for the accommodation of the poor and to levy a tax for that purpose to the same active status as if it had never been out and the provisions of the act were made permanent. It was the duty of the court to appoint a commission of three people to supervise the building and the operations. Vacancies on the commission would be filled by the court, and the commission was empowered to change the regulations as need might arise. The superintendent of the facility could draw from the treasury such monies as had been appropriated for that purpose as the need for them occurred.
6. Private Acts of 1831, Chapter 191, released and discharged Larkin H. Bowling of Anderson County, from the payment of \$125 which was the amount of a judgement rendered against him as an appearance bondsman for a certain Edward Williams. The judgement was rendered against him by the circuit court of Anderson County, provided, however, that Bowling made oath he had not received anything of value from Williams for making the bond.
7. Private Acts of 1831, Chapter 223, declared that it had been represented to the general assembly that Thomas Butler, William Butler, James Gilreath, and Merriman Rector were dredging for salt in Morgan County, therefore, to encourage such activities, the above named people were given the authority to enter upon lands in the vicinity of the salt wells in the three counties of Morgan, Roane, and Anderson. Land thus entered and used was exempted from taxation for the next fifteen years.
8. Private Acts of 1833, Chapter 69, granted the divorce of Elizabeth Roberts and Thomas Roberts and gave Elizabeth Roberts all the rights and privileges of a *feme sole*.
9. Private Acts of 1833, Chapter 143, dissolved the marriage between Phebe Cox and John Cox of Anderson County.
10. Private Acts of 1833, Chapter 208, was the authority for John O'Neal, of Anderson County, to hawk and peddle goods in Anderson County without a license provided he made oath that the goods sold were his own and that they were being sold for the benefit of himself and his family.
11. Private Acts of 1833, Chapter 255, granted the divorce of William M'Linn from his wife Ann M'Linn of Anderson County.
12. Acts of 1847-48, Chapter 109, was the enabling law for Richard Oliver, of Anderson County, to sell at public sale that portion of a tract of land held by the state which was taken in payment of a debt due the state by Moses Winter with full authority to execute a deed for the same since all the required notices had been given.

13. Acts of 1853-54, Chapter 180, was the legal authority for the counties of Claiborne, Campbell, Anderson, Knox, Montgomery, Stewart, Henry, Gibson, Tipton, Shelby, and Madison to subscribe to stock in railroad companies and to issue their bonds to pay for it. This act validated all the prior actions of those counties in connection with their buying shares of stock and voting them in company affairs.
14. Acts of 1853-54, Chapter 323, Section 13, extended the benefits of the rights and privileges conferred by this act upon other counties and the power to subscribe to the stock of any railroad running through the county to the counties of Claiborne, Anderson, Campbell, Grainger, and Jefferson.
15. Private Acts of 1923, Chapter 232, made it unlawful for any official of Anderson County, having the expenditure and disbursement of county, or public, funds for any purpose, to contract for, or draw and deliver any warrant, or order, for the disbursement of the same unless there shall be in the hands of the county trustee, or some other custodian of funds, a sum sufficient to pay the said amount set out in the warrant. Violators of these conditions could be fined from \$100 to \$500 and, in addition, would forfeit their office. The grand jury of the county was specifically granted inquisitorial powers in these matters.
16. Private Acts of 1925, Chapter 677, amended Private Acts of 1923, Chapter 232, above, so as to include school funds also within the provisions of that act.
17. Private Acts of 1963, Chapter 293, stated in the preamble that the presence of auto junkyards which were located beside and encroached upon the highways of the county materially detracted from the beauty and the utility of the roads and highways, and therefore, no person could operate a junkyard within 1,000 feet of the center line of a highway without a permit from the sheriff to do so. To operate one without a permit would constitute a public nuisance to be dealt with as such. All permits were to be issued in accordance with rules and regulations promulgated by the sheriff, would be in force for two years, and would cost \$50.00 each, to be paid to the county trustee and placed in the road funds. The sheriff could, if deemed necessary, require the applicant to make a bond before issuing the permit. The powers of the sheriff to act under this law which were enunciated in Section 7 were broad and sweeping as were the definitions of terms found in this law. This act was rejected at the local level and, therefore, did not take effect.

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