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Private Acts of 1959 Chapter 147

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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Private Acts of 1959 Chapter 147

SECTION 1. That a Special School District be and the same is hereby created and established, embracing all of the 10th Civil District in which the town of Maury City is located and portions of the 14th, 13th, 12th, 11th, and 8th Civil Districts of Crockett County, Tennessee, to be known as and designated the "Maury City Special School District", with the following boundaries:

Beginning at a point in the South Fork of the old Forked Deer River at the Northwest corner of the K. A. Randall farm in the 13th Civil District of Crockett County, Tennessee, runs thence East with the North boundary line of said Randall farm in the Chestnut Bluff-Gilliland School Road, thence approximately South with said road for a short distance to where the Lebanon Church Road branches off to the East, thence in an Easterly direction with the meanders of said Lebanon Church Road to the Maury City Chestnut Bluff Road, thence in a Northwesterly direction with said road past said church lot to the North boundary line of the J. H. Hysinger farm, thence East with the North boundary line of said Hysinger farm to the Jinnie Lilly Road in the Southwest corner of the Lloyd Chronister farm, thence North with said road along Chronister's West boundary line, and leaving said road in a Northeasterly direction to Chronister's North boundary line, thence East and North and East again following Chronister's boundary lines to drainage ditch and the Northwest corner of the Odell Woods (sic) home place, thence East with the North boundary line of said Woods (sic) home place to the Odell Woods Road, thence South with said road to the Northwest corner of another farm of Odell Woods, thence East with the North boundary lines of said Odell Woods farm and the Joe Barnes farm to the Mansfield Road, thence North with said Mansfield Road to the Northwest corner of the old Mansfield place (now owned by Cleve East), thence East with the North boundary line of said East farm to a lane and the West boundary line of the Cleve East twenty acre farm, thence North with the West boundary line of said East twenty acre place to the Northwest corner of same, thence East with an old road bed along the North boundary line of said Cleve East twenty acre place, crossing the Alice Leggett old place and the R. K. Riddick farm to the old Antioch Road, thence East with said old Antioch Road to the cemetery and North from said cemetery to the Indian Mound-Chestnut Bluff Road, thence East along said Mound-Chestnut Bluff Road to the Cleve East-Friendship Road, thence North with said latter road through the Clarence Brasfield farm and along the Hershall Agee farm to the Northwest corner of said latter farm, thence Easterly with North boundary line of said Agee farm to William Brasfield's West boundary line, thence North with said William Brasfield's West boundary line to Pond Creek Drainage Canal, thence up said Canal in Southeasterly direction to the Southwest corner of the Walker land, thence North with Walker's West boundary line to the Northwest corner of said farm, thence East or in an Easterly direction with the meanders and off sets of the North boundary line of said Walker farm to the old Mound-Friendship Road at the Northwest corner of the R. L. Parker farm, thence continuing East with North boundary line of said Parker farm and the North boundary line of the Evans Chambers farm to the concrete State Highway No. 20, thence South with said Highway to the Maury Junction Road, thence East with said latter road along the North boundary line of Luther Leggett farm and to the Northeast corner of same, thence South along the East boundary line of the Leggett farm and the Max Browder farm to the North boundary line of the Mae Cherry farm, thence East with the North boundary line of said Cherry farm to the Northeast corner of same, thence South with the East boundary line of said Cherry farm and then continuing directly South across the J. H. Powell farm to the Pond Creek Drainage Canal, thence up said Canal in a Southerly and Easterly direction with its meanders to the Nance-Highway No. 20 Road at a bridge, thence east with said Nance-Highway No. 20 Road to the New Highway No. 20, thence with said New Highway No. 20 in a Southeasterly direction to the intersection of the Cario-Burnice Birmingham Road, thence with said latter road in a Southwesterly direction to Pond Creek Drainage Canal, thence up said Canal in Southeasterly direction to the Crockett Mills-Brimm Corner Road, thence with said road to and crossing concrete Highway No. 20 at the off set, and continuing South on Highway No. 54 to Black Creek, thence West with said Creek to the Northeast corner of the Colvin Cates farm, thence South with the East boundary line of said farm to the North boundary line of the R. T. Tucker farm, thence West with the North boundary line of said Tucker farm to his Northwest corner, thence South with his West boundary line to the North boundary line of the A. J. Tucker farm, thence East with the North boundary line of said A. J. Tucker farm to the Northeast corner of same, thence South with the East boundary line of said Tucker farm to a creek, thence down said creek to the fork of same, thence up the Southerly fork of same in an Easterly and then Southerly directions with its meanders to the North boundary line of the Luke Hughes land, thence West with the North boundary line of said Hughes land to an interior corner of the H. H. Carter lands, thence South with Carter's East boundary line to the North boundary line of the Smith Kail farm, thence West to the Maury City-Johnson's Grove Road, thence with said road in a Southeasterly direction to Johnson's Grove-Road, thence with said road in a Southeasterly direction to Johnson's Grove-Frog Jump Road, thence West with said latter road to the Cane Ridge Road, thence in a Southerly direction with the Cane Ridge Road with its meanders to the Haywood County line, thence in a Westerly

direction with the Haywood County line to the South Fork of the old Forked Deer River, thence in a Northwesterly direction with said old river and old river bed to the point of beginning.

SECTION 2. That Maury City Special School District shall be governed by a Board of Directors of five members who, and their successors, shall constitute a body politic and corporate, and a majority of whom shall constitute a quorum for the transaction of business. The members of such Board of Directors shall be elected by the qualified voters residing within the boundaries of the Maury City Special School District, except for the first Board of Directors herein named who shall act until the first day of September following the regular August election 1960 or until their successors shall have been elected and qualified. Such first Board of Directors shall consist of the following members: Lynn Agee, J. W. Riddick, Frank Poston, Russell Garrett and Asa Fisher.

At the regular August election 1960 two directors shall be elected to a term of two years and three directors shall be elected to a term of four years, or until their successors shall have been elected and qualified and the ballot shall designate those who are running for two year offices and those who are running for four year offices.

Thereafter all directors shall be elected and shall hold office for a term of four years, or until their successors shall have been elected and qualified.

The term of office of all directors shall commence the first day of September following the regular August election at which they are elected.

To be eligible as a member of the Board of Directors, an individual must have resided in Crockett County for at least one (1) year and within the boundaries of said Special School District outside the corporate limits of the town of Maury City, Tennessee for at least six (6) months prior to being elected, and must be of good moral character and at least twenty-one (21) years of age. These qualifications for eligibility as members of the Board of Directors shall not be applicable to those members of the Board of Directors in office on the effective date of this Act during the remainder of their current terms of office.

The board (sic) of Directors shall organize by electing a President, Secretary and Treasurer, all of whom shall be members of such Board.

In the event of a vacancy on the Board of Directors the remaining members of such Board shall fill the vacancy with an eligible citizen to serve out the unexpired term of the vacated member.

The terms of office of members of the Board of Directors in office on the effective date of this Act shall end on August 31, 1980, or on the date of any special election called for the purpose of electing Board members, whichever occurs first. At the regular August election in 1980 five (5) Directors shall be elected by the qualified voters of the Special School District for terms of four (4) years beginning with the first day of September, 1980. A special election may be held prior to the regular August election in 1980 for the purpose of electing five (5) Directors. Such special election shall be called by the Crockett County Election Commission upon a petition being filed with the County Election Commission which contains the signatures of at least ten percent (10%) of the qualified voters of the district and which requests that a special election for the purpose of electing five (5) Directors of the School District be called. The special election shall be conducted in accordance with the general election laws of this state. If a special election for the purpose of electing Board members is held, the Board members elected at such election shall take office immediately upon their election and shall serve until the first day of September, 1984. The successors to directors elected by special election shall be elected at the regular August election in 1984 for terms of four (4) years beginning with the first day of September, 1984.

As amended by: Private Acts of 1979, Chapter 166

SECTION 3. That said first Board of Directors hereinabove named shall, within fifteen (15) days after this Act takes affect, meet and organize by electing a President, Vice-President, Secretary, and Treasurer from among the members of said Board.

That the members of the Board of Directors shall serve without compensation. The Treasurer shall enter into bond, with some solvent Surety Company authorized to do business in Tennessee, in an amount to be fixed by the Board and to comply with State requirements, which bond shall be payable to the State of Tennessee for the use and benefit of Maury City Special School District, and conditioned to faithfully account for and properly use and disburse all funds of the District coming into his hands; and the cost of such bond will be paid out of the operational funds of said District.

SECTION 4. That the Board of Directors shall have the following powers and duties, to wit:

To establish and maintain a Public School, tuition free, in said District at Maury City, wherein shall be taught the subjects required to be taught by the elementary and high schools of the State, and, in which may be taught commercial, vocational, mechanical and business courses and other subjects at the discretion of the Board:

To lease or receive the loan of school building, plant and property from the Town of Maury City or from any other source, provided such action appears to be advisable to the Board:

To employ competent teachers and employees for said school, including a school principal, and, within the general law, to fix their salaries and for lawful reason discharge them, prescribe the school term, receive school funds from the State, County, District and from whatever source public schools of this state are entitled to derive funds and to use the same in such manner as will in their judgment and discretion best promote the interest of said district's School and public education within the district:

To construct, purchase, maintain, repair and improve such school grounds, buildings, equipment and school property generally including gymnasium, athletic and recreation grounds as said Board may deem proper, and to hold the same in trust, and to sell the same or any part thereof as said Board may deem necessary and proper for the advantage of the district school and apply the proceeds to the benefit of the district school:

To otherwise govern and control the district school in such manner as will in their discretion best promote public education within the district, and so as to best cooperate with the State Department of Education and the County Board of Education.

SECTION 5. That the school principal shall be a competent teacher and a person of administrative ability and shall have general superintendence over all school functions, and such principal shall carry out the policies formulated by the Board of Directors.

SECTION 6. That the Board of Directors shall hold regular public meetings at least once a month at a designated place and hour, and, that a special meeting may be called by the President or a majority of the Board members upon three days notice to all members of the Board. The approval by a majority of all members of the Board of Directors shall be required for the transaction of all official business of the Board of Directors.

As amended by: Private Acts of 1979, Chapter 166

SECTION 7. That the Board of Directors of Maury City Special School District of Crockett County, Tennessee, be and is hereby fully and further empowered and authorized in its corporate capacity to borrow money and issue, sell and negotiate its negotiable bonds with interest coupons attached in an amount not to exceed Four Hundred Thousand (\$400,000.00) Dollars, for the purpose of providing funds for the construction or purchase, maintenance, repair and improvement of grounds, equipment and buildings for school purposes within said Special School District.

Interest on such bonds as may be issued hereunder shall be at a rate not to exceed 8% per annum, payable semi-annually, and may be evidenced by negotiable coupons attached to said bonds. The form of such bonds and the coupons attached thereto shall be such as may be prescribed by the Board of Directors of Maury City Special School District, Crockett County, Tennessee, by proper resolution entered upon its Minutes.

That any bonds issued and sold hereunder shall be payable in such amounts, and at such times and places, and in such manner as shall be directed by the Board of Directors of Maury City Special School District, Crockett County, Tennessee, that any bonds issued hereunder shall be executed in the name of the Maury City Special School District, signed by the President of the Board and counter-signed by the Treasurer thereof, and such bonds may be sold in such amounts and at such times and places publicly after due advertisement as the Board of Directors of Maury City Special School District, Crockett County, Tennessee, may direct by proper resolution.

That the funds derived from the sale of such bonds shall be paid into the hands of the Treasurer of the said Special School District, to be disbursed by him as are other funds of said Special School District, provided, however, that there shall be maintained a separate account by said Treasurer designated as "Maury City Special School District Bond Proceeds Account" into which the proceeds from the sale of said bonds shall be deposited and shall only be expended for the purposes set out in the first paragraph of this section of this Act.

Any bonds or notes issued hereunder shall be exempt from taxation by the State of Tennessee or any county or municipality thereof.

The bonds herein authorized shall not be issued until the issuance thereof has been approved by a majority vote of the qualified voters of the district voting in an election called for such purpose by the County Election Commission of Crockett County, pursuant to the request of the Board of Directors of the district. As used in this Act, the term "qualified voters" shall mean all registered voters who reside within the district outside the corporate limits of the town of Maury City, Tennessee, and any registered voter in Tennessee who owns real property located within the district outside the corporate limits of the town of Maury City, Tennessee. The election on the issuance of bonds shall be held in the same manner and by the same officials as general elections are required to be held in Crockett County, and notice thereof shall

be given in the manner required in Title 2, Tennessee Code Annotated, for elections held on questions within a county. At the election the proposition being submitted to the qualified voters of the district shall appear in the form of a question and shall briefly state the maximum amount of bonds to be issued, the purpose for which such bonds are to be issued, and the tax rate to be levied upon issuance of the bonds, and shall be followed by the words "Yes" and "No" so that a voter can vote his preference by making a cross mark (X) opposite the proper word. The County Election Commission of Crockett County shall canvass the returns of such election and determine in writing the results thereof. If a majority of the qualified voters of said district voting at any election vote against the issuance of the bonds herein authorized no subsequent election may be held for such purpose within one hundred and eighty (180) days succeeding the date of the election.

As amended by: Private Acts of 1979, Chapter 166.

SECTION 8. For the purpose of helping to support, operate and maintain the schools in the district, there is hereby levied a continuing annual tax of thirty-five cents (\$0.35) on each one hundred dollars (\$100.00) worth of taxable property within the Maury City Special School District outside the corporate limits of the town of Maury City, Tennessee, beginning with the year 1979. The tax levy at the rate specified by this Act shall not be effective unless approved by a majority vote of the qualified voters voting in an election to be conducted at the same time and in the same manner as the election provided by this Act for the issuance of bonds. At the election the proposition being submitted to the qualified voters of the district shall appear in the form of a question and shall briefly state the tax rate to be levied and the purpose of the tax and shall be followed by the words "Yes" and "No" so that a voter can vote his preference by making a cross mark (X) opposite the proper word.

For the purpose of paying the principal and interest and any redemption premiums on the school bonds authorized by this Act, there is hereby levied an additional tax of sixty-five cents (\$0.65) on each one hundred dollars (\$100.00) worth of taxable property within the Maury City Special School District, outside the town of Maury City, Tennessee, beginning with the year 1979 and continuing annually until said bonds have been paid in full as to both principal and interest. The levying of this tax, at the rate specified, shall automatically occur upon the vote of the qualified voters of the district to issue the bonds authorized by this Act.

The basis of assessment of any tax on property within the District shall be the assessed value as shown by the books of the county trustee, and any taxes so levied shall be a lien on the real property. The taxes herein authorized shall become due and be collected at the same time and in the same manner by the county trustee as taxes under the general laws of the state.

No disbursement will be made by the District except by proper check or warrant, properly drawn and signed by the president and the treasurer.

The county tax assessor shall prepare a separate and complete list of all taxable property, both real and personal, within the school district for the use of the county trustee in making collection of any taxes.

As amended by: Private Acts of 1979, Chapter 166

SECTION 9. That the County Trustee shall also apportion and pay over to said School district its per capita and/or prorate share of all Crockett County School funds in his hands, or coming into his hands from County, State or other sources.

SECTION 10. That the Board of Directors of said District are hereby authorized and empowered to make contracts and agreements with any and all agencies of the Federal Government or of the State of Tennessee, or the town of Maury City with reference to the procurement of funds or school property for the purpose of this Act, and to this end, may, if necessary, or if deemed expedient, sell, transfer or assign any bonds issued hereunder to any agency of the Government of the United States, or of the State of Tennessee; or to make any other lawful financial arrangements, or other contracts with either of said Governments, or the town of Maury City, which the Board of Directors may deem necessary or expedient.

SECTION 11. That:

(a) This Act shall have no effect unless the same shall have been approved by a majority of the voters residing in the Special School District herein created, in an election to be held for such purposes. Within five days after the approval of this Act by the Governor, it shall be the duty of the Commissioner of Elections of Crockett County to call an election for the Maury City Special School District, to be held not less than twenty nor more than forty days from the date of such call, for the purpose of accepting or rejecting the provisions of this Act. The ballots used in this election shall have printed thereon the title of this Act and the voters shall vote for or against its adoption. The votes cast at such election shall be canvassed by the Commissioner of Elections upon the first Monday occurring five or more days next after the date of such election, and the results shall be proclaimed by the Commissioner of Elections and certified by him to the Secretary of State. The general election laws shall be applicable to such election.

(b) In the event this Act is approved in the election provided for in (a), this Act shall have no effect unless

the same shall have been approved by a two-thirds (2/3) vote of the Quarterly County Court of Crockett County, on or before its first regular meeting more than five days after the said election. Its approval or non-approval shall be proclaimed by the presiding officer of the Quarterly County Court and shall be certified by him to the Secretary of State within ten days after the action of the Court.

(c) In the event the Court should determine that this Act need not be approved by the voters of the Special School District as provided for in (a), and/or this Act need not be approved by the governing body of the County as provided for in (b), within the meaning of Article 11, Section 9, of the Constitution, then either sub-sections (a) or (b), or both, shall be elided and the General Assembly hereby declares that it would have enacted this chapter without this section, or without either sub-section (a) and/or (b).

SECTION 12. That this Act shall take effect from and after its passage, the public welfare requiring it.

SECTION 13. The County Election Commission of Crockett County, pursuant to the request of the Board of Directors of the Maury City Special School District, shall call an election on such question, or questions, pertaining to the operation of the District, as may be certified to the County Election Commission by the Board of Directors. All questions certified to the County Election Commission shall be placed on ballots and shall be followed by the words "Yes" or "No", in order that a voter can vote his preference by making a cross mark (X) opposite the proper word. All qualified voters of the Maury City Special School District shall be eligible to vote in such elections. The purpose of the elections authorized by this section shall be to ascertain the will of the qualified voters of the Maury City Special School District on questions pertaining to the operation of the school district. The results of any election conducted pursuant to this section shall not be binding on the Board of Directors of the Maury City Special School District, and the ballots in any such election shall state that the Board of Directors is not bound by the results. If an election on questions is conducted in accordance with this section, no other election under the provisions of this section shall be conducted until after the expiration of one hundred and eighty (180) days from the date of the prior election.

As amended by: Private Acts of 1979, Chapter 166

SECTION 14. To the extent possible, all elections conducted pursuant to the authority of this Act may be conducted at the same time as elections on similar matters conducted by the town of Maury City, Tennessee.

As amended by: Private Acts of 1979, Chapter 166

Passed: March 10, 1959.

COMPILER'S NOTE: Private Acts of 1979, Chapter 166, which amended Private Acts of 1959, Chapter 147, provided that any elections authorized under the 1979 Act were to be held within one (1) year from the date the Act became law, and if not so held could not be held at any time. Further, any taxes authorized under the 1979 Act would not become effective if not approved within the said one (1) year period from the date of passage of the Act. See also Op. Tenn. Att'y Gen. 80-262 (May 29, 1980).

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