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# Private Acts of 1953 Chapter 225

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

Sincerely,

The University of Tennessee  
County Technical Assistance Service  
226 Anne Dallas Dudley Boulevard, Suite 400  
Nashville, Tennessee 37219  
615.532.3555 phone  
615.532.3699 fax  
[www.ctas.tennessee.edu](http://www.ctas.tennessee.edu)

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## Private Acts of 1953 Chapter 225

**SECTION 1.** That a joint, non profit Hospital District, to be known as the COPPER BASIN GENERAL HOSPITAL DISTRICT, is hereby created and established for and in behalf of the City of Copperhill, Tennessee; the City of Ducktown, Tennessee, and Polk County, Tennessee.

**SECTION 2.** That said Hospital District shall comprise and consist of the following described tract or parcel of land, together with all buildings and other improvements thereon and all appurtenances thereunto belonging, located in the Third Civil District of Polk County, Tennessee, and being in the South half of Section 9, Fractional Township 4 South, Range 5 East of the Ocoee Base Line and more particularly described as follows, to-wit: Beginning at the southwest corner of the lot, which point of beginning is N 33° - 58' - 20" W a distance of 2874.6 feet from the southeast corner of the south half of Section 9; thence N 85° - 46' - 30" E a distance of 450.0 feet; thence N 7° - 05' E a distance of 509.9 feet; thence S 85° - 46' - 30" W a distance of 600.0 feet; thence S 9° - 56' E a distance of 502.49 feet to the point of beginning, containing 6.02 acres, more or less, as surveyed by John R. Hankin and Walter Marlette January 14, 1953, and shown as described on Map N - 162 in the Tennessee Copper Company's files.

**SECTION 3.** That said Hospital District shall be operated and controlled by a Board of Trustees, seven (7) in number, who shall serve without compensation and who shall be elected in the manner and for the terms hereinafter provided.

**SECTION 4.** That the initial members of the Board of Trustees shall be John Jabaley, who shall serve for a term of two (2) years; Carl E. Panter, Jr., who shall serve for a term of two (2) years; Frederick M. Kimsey, who shall serve for a term of three (3) years; Oliver Hawk, who shall serve for a term of three (3) years; Ed. D. Oldham, who shall serve for a term of four (4) years; Sam E. Sharp, who shall serve for a term of five (5) years; and Windom Hensley, who shall serve for a term of six (6) years. The said terms of said initial Board of Trustee members shall commence on the first day of February, 1953, and shall continue for the terms herein stated and/or until their successors are duly elected and qualified.

**SECTION 5.** That upon the expiration of the two year term of John Jabaley, his successor shall be elected for a term of six (6) years by the Mayor and City Council of the City of Copperhill, Tennessee, in the manner hereinafter provided; upon the expiration of the two year term of Carl E. Panter, Jr., his successor shall be elected for a term of six (6) years by the City Commissioners of the City of Ducktown, Tennessee, in the manner hereinafter provided; upon the expiration of the three year term of Frederick M. Kimsey, his successor shall be elected for a term of six (6) years by the City Commissioners of the City of Ducktown, Tennessee, in the manner hereinafter provided; upon the expiration of the three year term of Oliver Hawk, his successor shall be elected for a term of six (6) years by the Mayor and City Council of the City of Copperhill, Tennessee, in the manner hereinafter provided; upon the expiration of the four year term of Ed L. Oldham, his successor shall be elected for a term of six (6) years by the Quarterly County Court of Polk County, Tennessee, in the manner hereinafter provided; upon the expiration of the five year term of Sam L. Sharp, his successor shall be elected for a term of six (6) years by the Mayor and City Council of the City of Copperhill, Tennessee, in the manner hereinafter provided; upon the expiration of the six year term of Windom Hensley, his successor shall be elected for a term of six (6) years by the Quarterly County Court of Polk County, Tennessee, in the manner hereinafter provided. Thereafter, the Mayor and City Council, the City Commis-sioners, and the Quarterly County Court, simultaneously and/or alternately, shall elect for a six (6) year term, in the manner hereinafter provided, a successor to that member or those members of the Board of Trustees whose term has expired.

**SECTION 6.** That the Mayor and City Council, City Commissioners and Quarterly County Court shall be required to elect a successor Trustee from among three (3) nominees for the office, whose names shall be submitted to the Mayor and City Council, the City Commissioners and/or the Quarterly County Court, by the remaining Trustees; not less than thirty (30) days prior to the expiration of the term of that Trustee whose successor is to be elected; provided, however, that the Mayor and City Council of the City of Copperhill or the City Commissioners of the City of Ducktown, by a unanimous vote, or the Quarterly County Court of Polk County, by a two-thirds vote, may elect a successor Trustee not nominated by the remaining Trustees. Provided further that when the next vacancy occurs in the position of a trustee elected by the City of Copperhill, the County Council of Polk County shall elect the successor trustee for that position and thereafter that position shall be filled by the County Council of Polk County.

As amended by:

Private Acts of 1977, Chapter 115

**SECTION 7.** That a Trustee whose term of office has expired shall, in any event, serve until his successor shall have been duly elected in the manner herein provided. In the event of the death, resignation or removal of a Trustee prior to the expiration of his designated term of office, his successor shall be elected for the unexpired term in the same manner as the deceased, retiring or removed Trustee was elected. Any Trustee herein named is eligible for reelection. The Board of Trustees shall elect a Chairman and Secretary

from its membership; shall meet at least once a month, and more often if necessary; and shall keep complete, permanent public records and minutes reflecting all business and transactions of the Board of Trustees. The transaction of any business shall require the affirmative vote of at least four (4) trustees.

As amended by: Private Acts of 1977, Chapter 115

**SECTION 8.** That the Board of Trustees shall be vested with full, absolute and complete authority and responsibility for the operation, management, conduct and control for the hospital district, however, its actions shall not be inconsistent with existing contractual obligations of the cities and county. The board's authority and responsibility shall include, but shall not be limited to, the establishment, promulgation and enforcement of the rules, regulations, and policies of the hospital district, upkeep, expansion and maintenance of all property and equipment, administration of all financial affairs including issuance of bonds or notes to finance capital additions, alterations, or equipment for the hospital district, execution of all contracts, agreements and other instruments, and the employment, compensation, supervision and discharge of all personnel.

As amended by: Private Acts of 1975, Chapter 69

**SECTION 9.** That the Board of Trustees shall have authority to employ and fix the compensation of a Hospital Administrator, whose duties and responsibilities shall be determined and prescribed by the Board of Trustees.

**SECTION 10.** That said Board of Trustees shall annually prepare and submit to the Mayor and City Council, the City Commissioners and the Quarterly County Court, a budget, reflecting in detail all estimated receipts and disbursements of the Hospital District. Said budget shall be for the fiscal year July 1, to June 30, and shall be submitted by the Board of Trustees not later than April 1, prior to the commencement of said fiscal year. The initial Board of Trustees shall prepare and submit such budget as soon after the effective date of this Act as may be practicable, but, in any event, not more than sixty (60) days after the commencement of the terms of the members of said initial Board of Trustees.

**SECTION 11.** That the Board of Trustees shall prepare and submit to the Mayor and City Council, the City Commissioners and the Quarterly County Court, during each quarter of each fiscal year, a complete financial statement and report which, among other things, shall reflect a comparison of actual receipts and disbursements as of the dates of such financial statements.

**SECTION 12.** That the Mayor and City Council of Copperhill, Tennessee, is hereby authorized to appropriate to said Hospital District from the General Fund of said City, one-fourth ( $\frac{1}{4}$ ) of such sums as may be required to commence the operation of said Hospital District; and thereafter one fourth ( $\frac{1}{4}$ ) of such sums as may be required to pay any deficits arising in the operation and maintenance of said Hospital District; and are authorized and empowered, also, to levy a tax sufficient for this purpose upon all taxable property within said City.

**SECTION 13.** That the City Commissioners of the City of Ducktown, Tennessee, are hereby authorized to appropriate to said Hospital District, from the General Fund of said City, one-fourth ( $\frac{1}{4}$ ) as such sums as may be required one-fourth ( $\frac{1}{4}$ ) of such sums as may be required (sic) to commence the operation of said Hospital District; and thereafter one-fourth ( $\frac{1}{4}$ ) of such sums as may be required to pay any deficits arising in the operation and maintenance of said Hospital District; and are authorized and empowered, also, to levy a tax sufficient for this purpose upon all taxable property within said City.

**SECTION 14.** That the Quarterly County Court of Polk County, Tennessee, is hereby authorized to appropriate to the Hospital District from the General Fund of the County, one-half ( $\frac{1}{2}$ ) of such sums as may be required to commence the operation of said Hospital District, and thereafter one-half ( $\frac{1}{2}$ ) of such sums as may be required to pay any deficits arising in the operation and maintenance of said Hospital District; and are authorized and empowered, also, to levy a tax sufficient for this purpose upon all taxable property within said County.

**SECTION 15.** That each section, subdivision and paragraph of this Act is hereby declared to be a separate and independent clause from any other section, subdivision or paragraph hereof, and the illegality or invalidity of any section, or of any subdivision, or of any paragraph thereof, shall not affect any other section, subdivision, or paragraph hereof.

**SECTION 16.** That this Act take effect from and after its passage, the public welfare requiring it.

Passed: March 24, 1953.

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