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Private Acts of 1980 Chapter 233

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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. There is hereby created and established an independent and special school district in Obion County in the State of Tennessee, which shall encompass all of the area described within the boundaries set forth below except such area as lies within the boundary lines of the municipal corporation of Union City, Tennessee, as it now exists or from time to time is modified by expansion or annexation. The boundaries of the Obion County Special School District are as follows:

BEGINNING at a point in the south boundary line of the State of Kentucky and the north boundary line of the State of Tennessee where the same is intersected by the east boundary line of Lake County, Tennessee, and the west boundary line of Obion County, Tennessee; runs thence in a southerly direction with the west boundary line of Obion County, Tennessee, and the east boundary line of Lake County, Tennessee, to where the same intersects the north boundary line of Dyer County, Tennessee; runs thence in an easterly direction with the north boundary line of Dyer County, Tennessee, and the south boundary line of Obion County, Tennessee, to where the same is intersected by the west boundary line of Civil District Number Eleven (11) of Obion County, Tennessee; runs thence north with the west boundary line of said Civil District Number Eleven (11) to a point where the same intersects the south boundary line of Civil District Number Fifteen (15) of Obion County, Tennessee; runs thence in an easterly direction with the north boundary line of said Civil District Number Eleven (11) to the north boundary line of Civil District Number Eight (8) of Obion County; runs thence in an easterly and southerly direction with the north boundary line of said Civil District Number eight (8) to the point where the same intersects the west boundary line of Weakley County, Tennessee; runs thence in a northerly direction with the west boundary line of said Weakley County, Tennessee, and the east boundary line of Obion County, Tennessee, to a point where the same is intersected by the south boundary line of Civil District Number One (1) of Obion County, Tennessee; runs thence in a northwesterly direction with the south boundary line of said Civil District Number One (1) to a point in the center of the Old McConnell Road; runs thence with the center of the Old McConnell Road in a westerly and northerly direction, and crossing Harris Creek and the Illinois Central Railroad, to a stake in the intersection of the said Old McConnell Road and the Harris Station Road, adjacent to the Illinois Central Railroad; runs thence in a straight line north to a point in the center of the intersection of old U. S. Highway Number 51, also known as the Union City - Fulton Highway and Tennessee Route Number 8010, also known as the Harris Station Road; runs thence in a northwesterly direction in a straight line to a point in the center of Tennessee Route Number 8173 and Kentucky Route Number 116, also known as the State Line Road, said point being one thousand (1,000) feet east of the intersection of the State Line Road with the Section line Road; runs thence in a westerly direction with the south boundary line of the State of Kentucky and the north boundary line of the State of Tennessee to the point or place of beginning.

Included within the above description but excluded from the Special School District hereby created and established is the municipal corporation of Union City, Tennessee, which is expressly excluded from this Special School District as the said municipal corporation of Union City, Tennessee, now exists or from time to time is modified by expansion or annexation. The Special School District above described is to be known and designated as the Obion County Special School District, and all inhabitants of said area shall be and constitute the inhabitants of the Obion County Special School District hereby created and established. Said inhabitants, for the purposes of this act, shall be and are hereby constituted a body politic and corporate, clothed with all powers and entitled to all of the privileges and advantages of said Obion County Special School District. Said Special School District shall be activated only upon approval of a majority of all qualified voters of the county outside of the corporate limits of Union City voting in the first county-wide election held in Obion County, Tennessee after the first day of May, 1980.

SECTION 2. The first Board of Education of the said Special School District, which is hereby constituted and appointed, shall consist of the following named persons: Phillip Gallimore, Ralph White, Walter Yates Sellers, Johnny Hundley, Polly Glover, Jimmy Hart, and Jimmy Hayes, who shall hold office as provided herein and until their successors shall be elected and qualified, as hereinafter provided. The first Board of Education, named above, shall, within ten days after the activation of the Special School District by voter approval as provided in Section One herein, meet and elect a Chairman and Vice Chairman from among their members, and the first Board of Education shall have all of the rights, powers, and obligations as hereinafter set forth for the Board of Education and shall perform all duties incumbent upon them as a Board of Education. The Board shall, at the first meeting, request the Election Commission of Obion County to call an election for approval of the issuance of bonds hereinafter authorized.

SECTION 3. At the first county-wide election held in Obion County, Tennessee, after the second day of

August, 1980, there shall be elected a Board of Education consisting of seven members, as follows:

Member number one. Member number one shall be a qualified voter of the Special School District hereby created and reside within the boundaries of the Sixth Civil District of Obion County, Tennessee, as the same is now constituted; member number one shall be elected to a term of four years, and member number one's successor shall be elected to terms of four years thereafter.

Member number two. Member number two shall be a qualified voter of the Special School District hereby created and reside within the boundaries of the Fifth Civil District of Obion County, Tennessee, as the same is now constituted; member number two shall be elected for a term of four years, and member number two's successors thereafter shall be elected to a term of four years.

Member number three. Member number three shall be a qualified voter of the Special School District hereby created and reside within the boundaries of the Fourth Civil District or the Seventh Civil District of Obion County, Tennessee, as the same is now constituted; member number three shall be elected to a term of four years, and member number three's successors thereafter shall be elected to a term of four years.

Member number four. Member number four shall be a qualified voter of the Special School District hereby created and reside within the boundaries of the Fifteenth Civil District of Obion County, Tennessee, as the same is now constituted; member number four shall be elected to a term of two years, and member number four's successors thereafter shall be elected to a term of four years.

Member number five. Member number five shall be a qualified voter of the Special School District hereby created and reside within the boundaries of the Ninth Civil District or the Fourteenth Civil District of Obion County, Tennessee, as the same is now constituted; member number five shall be elected to a term of four years, and member number five's successors thereafter shall be elected to a term of four years.

Member number six. Member number six shall be a qualified voter of the Special School District hereby created and reside within the boundaries of the Twelfth Civil District, the Third Civil District, or the Tenth Civil District of Obion County, Tennessee, as the same is now constituted; member number six shall be elected to a term of two years, and member number six's successors thereafter shall be elected to a term of four years.

Member number seven. Member number seven shall be a qualified voter of the Special School District hereby created and reside within the boundaries of the Second Civil District or the area of the Thirteenth Civil District and the First Civil District of Obion County, Tennessee, included within the Special School District hereby created; member number seven shall be elected to a term of two years, and member number seven's successors thereafter shall be elected to a term of four years.

In any and all elections of any or all members of the Board of Education of the Obion County Special School District, all qualified voters residing within the entire Special School District shall be eligible to vote.

In the event of a vacancy among the members of the said Board of Education who are elected by the voters of said Special School District, as above provided, the remaining members of the Board of Education shall have the power to fill and shall fill such vacancy by appointment, and such appointee shall hold office until the next regular election in which School Board members are elected and until a successor is elected and qualifies.

If more than two years remain of the unexpired term of a vacancy, this vacancy shall be filled in an election for the unexpired portion of the term. The vacancy upon the Board of Education, whether filled by appointment or by election, shall be filled by a person residing in the area where his predecessor resided, as hereinabove designated.

SECTION 4. The members of said Board of Education shall serve without compensation; however, Board members shall be entitled to reimbursement and payment of necessary expenses incurred in the discharge of their duties, and provision and allowance may be made for reasonable clerical assistance necessary in keeping the records and books of the Superintendent. The Board of Education shall prescribe rules and regulations for its government, shall meet at such stated intervals as may be prescribed by its rules and regulations, and may hold such special meetings as may be necessary or advisable, for all of which special meetings all members shall have the notice prescribed by its rules and regulations.

The Superintendent herein referred to shall be employed by the Board of Education upon such terms and conditions and for such compensation as agreed upon and contracted for. The Superintendent employed by the Board of Education shall enter into bond with proper conditions sufficient to cover the school funds belonging to said Obion County Special School District which may be received, the amount of the penalty of which bond shall be determined by said Board of Education; the bond shall be payable to the State of Tennessee for the use and benefit of the said Obion County Special School District, and such bond shall be

approved by and filed with the Chairman of the Board of Education.

SECTION 5. The said Board of Education, a majority of which shall at all times constitute a quorum for the transaction of business, shall have all of the powers usually incumbent to and belonging to boards of education, and shall have full power as a board of education to manage and control the public schools of said Special School District; and the said Board of Education shall make, or cause to be made and properly verified and certified, all necessary and proper reports of scholastic population, average daily membership, and other statistical data with reference to the schools of the said District to the County Trustee, County Superintendent of Public Instruction, and State Superintendent of Public Instruction, all as required by and in accordance with the general laws of the State of Tennessee governing the management and control of the public schools of the State of the class and character contemplated by this act; and said Board of Education shall prescribe all necessary and reasonable rules and regulations for the management, government, and control of such schools, and shall employ such superintendents, principals, teachers, and assistant teachers as may be necessary in their conduct and management.

SECTION 6. The Board of Education of the Obion County Special School District is hereby authorized and empowered to make contracts and agreements with any and all agencies of the Federal Government or of the State of Tennessee with reference to the procurement of funds for the purposes of this act, and to this end may, if necessary or if deemed expedient, sell, transfer, or assign the bonds issued hereunder to any agency of the government of the United States or of the State of Tennessee, or make any other lawful financial arrangements with either of said governments which the said Board of Education may deem necessary or expedient.

SECTION 7. The said Board of Education shall have the authority and power to enter into contracts for the rental, purchase, or construction of school buildings and for the purchase of real estate to be used for school purposes, payments due under such contracts to be made by said Board of Education from funds available to it.

SECTION 8. The property, furniture, equipment, books, and school supplies being used by the Obion County Board of Education for school purposes within the boundaries of the Obion County Special School District, as described in Section One, are hereby transferred effective July 1, 1980, from the Obion County Board of Education to the Obion County Special School District for ownership and use in educating the children of the Special School District, provided that the Special School District shall have been ratified and approved as hereinafter provided and be in existence on July 1, 1980.

SECTION 9. All lands and buildings located within the boundaries of the Obion County Special School District which are owned and being used for the daily operation of the public schools by the Obion County Board of Education (except for the school bus garage located in the town of Troy, Tennessee) shall be transferred by appropriate instrument of conveyance from the Obion County Board of Education to the Obion County Special School District effective July 1, 1980, provided the said Obion County Special School District shall have been ratified and approved, as herein provided, and be in existence on July 1, 1980.

SECTION 10. All pre-existing debts, if any, owned upon such properties as are conveyed as above provided from the Obion County Board of Education to the Obion County Special School District shall be assumed by the said Special School District.

SECTION 11. The plan of study designated and prescribed in the general school laws of the State of Tennessee shall be taught in the schools of said Special School District, and said schools shall be open to all children residing in said Special School District who are legally entitled to attend the same under the school laws of the State of Tennessee.

The Board of Education of said Special School District shall have the power to and may admit by contract to the schools of said Special School District persons over school age or nonresidents of the said Special School District, upon such terms and under such regulations as may be prescribed for such persons, provided that any student or students residing outside the limits of the Obion County Special School District who shall attend school within the boundaries or limits of the said Special School District shall pay or have paid for said student or students, as tuition, their pro rata share of all state, county, and district funds, and all tuition under this section shall be paid to the Superintendent of the Obion County Special School District for the use and benefit of the said Special School District, and shall be expended and paid out as other school funds collected and received for the maintenance of the schools.

SECTION 12. The County Trustee of Obion County, Tennessee, after activation of the Special School District as provided in Section One herein, and after an election approving issuance of bonds as provided in Section Seventeen hereinafter, shall apportion to the Obion County Special School District, for the management of schools as herein provided, the pro rata share of all school funds in his hands to which the said Obion County Special School District is entitled, which apportionment as between the said Obion County Special School District and the remainder of Obion County shall be made each year in proportion

to the average daily membership in schools provided for in said Special School District and in the schools of the remainder of Obion County, in the same manner that apportionment on the basis of average daily membership for the previous year was made among the several counties and other subdivisions of the State in the apportionment of public school funds under the general school law. In the event that the basis of apportionment of school funds shall be changed by subsequent legislation, the apportionment under this Act will conform to the general law governing apportionment, so that said Special School District shall at all times receive the apportionment and pro rata share of the public school funds to which it is by law entitled, and this apportionment shall apply not only to the pro rata share of any and all school taxes assessed and collected locally by Obion County under general law, but also the pro rata share of said Special School District in the state school funds paid over to the said County Trustee by the State of Tennessee, pursuant to law.

SECTION 13. All teachers employed in the Special School District hereby created shall be entitled to all of the protection of their rights and privileges as set forth in Tennessee Code Annotated, Section 49-1316.

SECTION 14. For the purpose of erecting, furnishing and equipping school buildings, including gymnasiums and recreational grounds, and for the purpose of acquiring necessary grounds therefor, the said Obion County Special School District is hereby authorized and empowered, if and when the election hereafter provided a majority of the qualified voters living in the said District and voting in said election have voted favorably, to issue interest-bearing coupon bonds in an amount not to exceed Nine Million (\$9,000,000.00) Dollars. Said bonds shall bear interest at a rate not to exceed the legal rate then existing in the State of Tennessee at the time of their issue, shall be payable semi-annually, shall mature serially or otherwise in not exceeding thirty years after the date of issue, and may be subject to such terms of redemption, with or without premium, as may be provided by resolution by the Board of Education of said Special School District.

Said bonds shall be in such form and of such denominations and shall be sold in such manner as the Board of Education may provide by resolution, but in no event shall such bonds be sold for less than par. Said bonds shall be a general obligation of the said Obion County Special School District, and the said Board of Education is authorized and empowered to do and perform all acts which may be necessary or desirable in connection with the issuance and sale of said bonds.

SECTION 15. For the purpose of paying the principal and interest on the school bonds herein authorized, there is hereby levied a continuing annual tax of One and 25/100 (\$1.25) Dollars on each One Hundred (\$100.00) Dollars worth of taxable property in the said Obion County Special School District. The tax levy at the rate specified by this Act shall not be effective nor shall the provisions of Sections Four, Five, Six, Seven, Eight, Nine, Ten, Eleven, Twelve, and Thirteen be of any force or effect until and unless the bond issue, as set out in Section Fourteen of this act, is approved by a majority vote of the qualified voters within the District voting in the election called for such purpose, as set out in Sections Three, Fourteen, and Seventeen.

The basis of the assessment shall be the assessed value as the same appears by the current tax assessment made by Obion County, and all such tax levied, when assessed, shall be a lien on the real estate or personal property on which assessed in the particular year of the issuance thereof. The taxes herein provided for shall become due, payable, and delinquent as and when Obion County taxes become due, payable, and delinquent, and subject to the same interest and penalty, and shall be collected by the Trustee of Obion County, Tennessee, in the same way and manner as other taxes.

SECTION 16. The Tax Assessor of Obion County shall prepare a separate and complete list or book of all taxable property, real and personal, within said District and furnish the same to the County Trustee for his use in making collection of said taxes, and the assessment shall be set up on the general tax books of the Clerk of the County Court of Obion County, Tennessee.

SECTION 17. Before any bonds shall be issued by said Special School District, an election shall be held at each of the voting places within the boundaries of said District at the time of the second countywide election held in Obion County, Tennessee, after the first day of August, 1980, and a majority of the qualified voters voting in said election by their ballot shall have voted in favor of the issuance of said bonds. The election for this purpose shall be called by the Election Commission of Obion County, Tennessee, in accordance with the laws of the State of Tennessee for voting upon questions.

In said election, the ballots shall have printed on them one line reading "FOR SCHOOL BONDS" and on another line "AGAINST SCHOOL BONDS", and the voter shall indicate his choice by making a mark opposite the words "FOR SCHOOL BONDS" or "AGAINST SCHOOL BONDS". Any person who is a resident of said District and otherwise qualified to vote shall be eligible to vote in the election provided for in this act.

If the bonds hereinabove authorized are not approved in the election held for that purpose, as

hereinabove set forth, the said Obion County Special School District shall cease to exist ten (10) days after the result of the bond election herein provided for are certified by the Election Commission, as required by law, it being the intention of this act that the Obion County Special School District shall cease to exist if the bond issue is not approved by the voters, as set forth hereinabove.

SECTION 18. The proceeds of sale of any bonds authorized hereunder shall be collected by the Superintendent of the Special School District and shall be disbursed only upon order of the Board of Education of the said Special School District upon check or voucher signed by the Superintendent and countersigned by the Chairman of the Board of Education of the Special School District.

SECTION 19. All taxes collected by the County Trustee under the provisions of this act shall be paid over to the Superintendent of the said Special School District, who shall segregate the amount of the administrative fund, as above provided. The amount so set apart into the administrative fund shall be kept separate from the fund for the payment of principal and interest upon bonds, and no part of the administrative fund shall be disbursed except upon order of the Board of Education of the said Special School District. No funds of the Obion County Special School District shall be disbursed except by check or voucher signed by the Superintendent and countersigned by the Chairman of the Board of Education of said Special School District.

SECTION 20. The Board of Education of the Obion County Special School District shall not be under the supervision, direction, or control of the Obion County Board of Education or the Superintendent of Schools for the Obion County Board of Education, but shall be under and subject to the rules, regulations, and policies of the Department of Education of the State of Tennessee and the general system of public schools for the State of Tennessee. The Board of Education of the Obion County Special School District shall file all proper reports and documents, and work in full cooperation with the public school system of the State of Tennessee.

SECTION 21. 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 this 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 22. This act shall take effect upon, from, and after its passage, the public welfare requiring it.

Passed: March 12, 1980.

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