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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

Alarm Systems Act

Private Acts of 2000 Chapter 93

SECTION 1. This Act shall be known and may be cited as the "Maury County Alarm Systems Act".

SECTION 2. For the purpose of this Act, the following definitions apply:

- (1) "Activate" means to set off an alarm system indicating in any manner an incidence of burglary, robbery, fire, etc.
- (2) "Alarm systems" means any mechanical or electrical/electronic or radio controlled device which is designed to be used for the detection of any fire or unauthorized entry into a building, structure or facility, or for alerting others of fire or of the commission of an unlawful act within a building, structure or facility, or both, which emits a sound or transmits a signal or message when activated. Alarm systems include, but are not limited to, direct dialing telephone devices, audible alarms and monitored alarms. Excluded from the definition of alarm systems are devices which are designed or used to register alarms that are audible or visible and emanate from any motor vehicle; auxiliary devices installed by telephone companies to protect telephone systems from damage or disruption of service; and self-contained smoke detectors; and medical-alert alarms.
- (3) "Automatic dialing device" means an alarm system which automatically sends over regular telephone lines, by direct connection, or otherwise, a pre-recorded voice message or coded signal indicating the existence of the emergency situation that the alarm system is designed to detect, but shall not include such telephone lines exclusively dedicated to an alarm central station which are permanently active and terminate within the communications center of the Maury County Sheriff's Department.
- (4) "Commercial premises" means any structure or area which is not defined herein as residential premises.
- (5) "False alarm" means the activation of an alarm system through mechanical failure, malfunction, improper installation, or the negligence or intentional misuse by the owner or lessee of an alarm system or by such owner or lessee's employees, servants or agents; or any other activation of the alarm system not caused by a fire or forced entry or attempted forced entry or robbery or attempted robbery; such terminology does not include alarms caused by acts of nature such as hurricanes, tornadoes, other severe weather conditions, or alarms caused by telephone line trouble, or other conditions which are clearly beyond the control of the alarm user. A maximum of five (5) false burglar alarms; three (3) false robbery/panic alarms; and three (3) false fire alarms, will be granted per alarm device within a fiscal permit year. All false subsequent activation will be considered chargeable violations.
- (6) "Fire officer" means the fire chief of the rural fire department or the fire chief's designated representatives.
- (7) "Law enforcement officer" means the sheriff of Maury County or the sheriff's designated representatives.
- (8) "Person" means any natural person, firm, partnership, association, corporation, company or organization of any kind, to include a government or governmental subdivision or agency thereof, exclusive of the federal government.
- (9) "Primary responder" means the law enforcement or fire agency designated to be first contacted by the alarm owner, operator or lessee.
- (10) "Residential premises" means any structure or combination of structures which serve as dwelling units including single family as well as multi-family units.

SECTION 3. Notification and Permits Required.

- (a) Every person who owns, operates or leases any alarm system, as defined herein, whether now existing or to be installed in the future, anywhere within Maury County, excluding alarm systems within the city limits of any incorporated municipality in Maury County, and who does not list the Maury County Sheriff's Department or Maury County rural fire department as primary responder, shall within one hundred twenty (120) days of the effective date of this act for existing alarms systems, or prior to use of new alarm systems, notify the Maury County Sheriff's Department, on

forms to be provided, of the following information:

- (1) The type, make and model of each alarm device and, if applicable, the alarm monitoring company;
- (2) Whether the alarm system is installed in a residential or commercial premises;
- (3) The name, address, business and/or home telephone number of the owner or lessee of the alarm system; and
- (4) The names, addresses, and telephone numbers of at least two (2) persons to be notified in the event of an alarm activation.

(b) At the time of submission of this notification, the owner, operator or lessee of said alarm system shall submit a fee of fifteen dollars (\$15.00) to the Maury County Court Clerk's office for obtaining a permit for each alarm device in such system, if the system is maintained on residential premises, and twenty-five dollars (\$25.00) for each alarm device, if the system is maintained on commercial premises. All permit fees are due January 1 annually and will be prorated monthly during the year applied for. Annual renewal fees of fifteen dollars (\$15.00) for residential users and twenty-five dollars (\$25.00) for commercial users will apply.

SECTION 4. Duties of Permit Holders.

- (a) Each owner, operator, or lessee of an alarm system shall be responsible for training employees, servants, or agents in the proper operation of an alarm system.
- (b) Each owner, operator, or lessee of an alarm system shall ensure that the correct address identification is visible from the street or roadway on which the premises are located.
- (c) Any audible alarm shall be equipped with an automatic shut-off to function within twenty (20) minutes of the alarm sounding, excluding fire alarms.
- (d) The current alarm registration sticker provided each permittee shall be displayed near the primary entrance so as to be easily visible from outside the building.

SECTION 5. Violations.

- (a) It shall be a violation of this Act to have a functional alarm system without having obtained a permit required by Section 3 of this Act.
- (b) Having an alarm activated without a permit shall constitute a violation of this Act.
- (c) It shall be a violation of this Act when any Maury County Sheriff's Department or rural fire department officer responds to his premises within one (1) hour after notification by sheriff or fire personnel of alarm activation, whether false or not, shall be deemed to have violated this Act.
- (d) Any person who owns, operates, or leases an alarm system and who shall knowingly and purposefully fail to respond to his premises within one (1) hour after notification by sheriff or fire personnel of alarm activation, whether false or not, shall be deemed to have violated this Act.
- (e) It shall be a violation of this Act for an alarm company to make functional a newly installed alarm system if the owner, operator or lessee of the alarm system does not have a currently valid alarm permit, unless there is a life-threatening situation making immediate operation of the alarm system necessary. In such cases, the permit shall be obtained the next business day.
- (f) It shall be a violation of this Act for an alarm company to set off a false alarm while installing, repairing or doing maintenance work on an alarm system. If the Maury County Sheriff's Department is notified to cancel the call within five (5) minutes of the original call, it will not be considered a false alarm, unless the responding agency arrives on the scene before the original call is canceled. If a responding sheriff's deputy or fire officer has not arrived on the scene within twenty (20) minutes of the original notification, it will not be a chargeable response. The false alarm shall not be charged to the owner, operator or lessee.
- (g) Any non-compliance with the requirements of this Act shall constitute a violation and each incidence of non-compliance shall constitute a separate violation, punishable by a fine of fifty dollars (\$50.00) plus court costs; provided, however, that fines for false alarms shall not exceed twenty-five dollars (\$25.00) for each false alarm, in accordance with general law.

SECTION 6. Automatic Dialing Devices.

- (a) Within one hundred and twenty (120) days of the effective date of this Act, it shall be a violation of this Act for any automatic dialing device to call on the 911 or E911 emergency line. Such devices shall be restricted to dialing the non-emergency sheriff, fire or emergency medical services phone number.

(b) Any automatic dialing device shall:

- (1) Have a clearly understandable recording;
- (2) Be capable of repeating itself a minimum of two (2) times; and
- (3) Be capable of automatically resetting itself so as to not continuously call sheriff, fire or EMS phone numbers.

(c) Programmed messages on an automatic dialing device must include and are restricted to the following:

- (1) The owner's/resident's name and the exact street number and name;
- (2) A statement that it is a burglar or robber/panic "ALARM ONLY". It shall not say burglary or robbery "in progress";
- (3) A statement of the hours the business is open, if the device is used for both burglar and robber/panic alarms; and
- (4) A statement that a third party has been notified, and the identity of that third party, if a third party is notified by the device.

SECTION 7. Appeals Procedure and Rights to a Hearing.

(a) Beginning with the sixth (6th) false burglary alarm, a fourth (4th) false robbery/panic alarm, or a fourth (4th) false fire alarm, or upon failure of the permit holder to make a reasonable effort to comply with the requirements of this Act, a properly designated law enforcement officer or fire officer may file a request, in writing, for revocation of the permit with the Board of Appeals, which revocation shall occur unless the permit holder files an appeal, in writing, with the Board of Appeals within fifteen (15) days of the date the request for revocation is filed with the board. The law enforcement officer or fire officer shall notify the permit holder that a request for revocation has been filed with the Board of Appeals and the date on which it is filed. An appeal by the permit holder shall be accompanied by an appeals fee of fifty dollars (\$50.00), which shall be refunded upon a determination by the board that the permit holder has not exceeded the allowable false alarms.

(b) Pursuant to the administration of this Act, a Board of Appeals shall be created for the purpose of hearing any complaints relating to the enforcement provisions of this Act. Such Board shall be appointed by the County Executive and approved by the County Commission, and shall consist of the following:

- (1) One (1) member of the sheriff's department;
- (2) One (1) member of the rural fire department; and
- (3) Three (3) private citizens, one (1) member being a representative of the local alarm industry, one (1) a residential alarm user, and one (1) a commercial alarm user.

(c) The Maury County Clerk or the clerk's designee is hereby designated as secretary of the Board of Appeals and shall serve as custodian of its records.

SECTION 8. Response to False Alarm - Required Reports of Corrective Action and Disconnection.

(a) The only alarms the Maury County Sheriff's Department, rural fire department or emergency medical services will respond to are:

- (1) Burglary (residential and business);
- (2) Robbery/hold-up (business only);
- (3) Fire (residential or business);
- (4) Medical (residential and business); and
- (5) Panic (residential only).

(b) Responsibility for a false alarm shall be borne by the owner or the lessee of the alarm system or such person's employee, servant or agent occupying and/or controlling the premises at the time of the occurrence of the false alarm.

(c) A response to an alarm shall result when any sheriff or rural fire department officer is dispatched to or otherwise learns of the activation of any alarm system. If the user calls or the authorized agent calls the sheriff's department back within five (5) minutes of the original call, it will not be considered a false alarm. No violation, fine, or recourse will take place in the above time interval unless the responding Maury County Sheriff's deputy or rural fire officer has already arrived

before the call to cancel has been made. If a law enforcement or fire officer has not arrived on the scene within twenty (20) minutes of the original alarm (notification), it will not be a chargeable alarm.

(d) After the allowable false alarms as set out in Section 2, each person who owns, operates, leases or controls any premises, commercial or residential, having an alarm system, shall be cited to Maury County General Sessions Court for any response to a false alarm. Within fifteen (15) days of the date of a conviction the person shall show proof to the sheriff's department of the corrective action taken to remedy the situation. Failure to show corrective action will be grounds for revocation of the permit; however, no disconnection shall be ordered on any premises required by law to have an alarm system in operation.

SECTION 9. Enforcement. Maury County Sheriff's Department officers are specifically authorized to enforce this Act. Any Maury County sheriff's officer or fire officer may lawfully issue a citation to an owner, operator or user of a functional alarm system who has not obtained the permit required by Section 3, or whose alarm system has given a false alarm in excess of the number of false alarms allowed under Section 2.

SECTION 10. Disposition of Fees.

(a) Fees collected pursuant to this Act shall be paid to the Maury County general fund.

(b) The provisions of this Act shall not be applicable to residential or commercial premises which are located within any municipal limits of the cities in Maury County, unless an alarm owner, operator or lessee requests the Maury County Sheriff's Department or Maury County rural fire department as the primary responder.

SECTION 11. This act shall have no effect unless it is approved by a two-thirds (2/3) vote of the Legislative Body of Maury County by December 31, 2000. Its approval or nonapproval shall be proclaimed by the presiding officer of the Legislative Body and certified to the Secretary of State.

SECTION 12. 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 11.

Passed: March 2, 2000.

Budget System

Private Acts of 1963 Chapter 233

SECTION 1. That there is hereby created a County Budget Committee of Maury County, Tennessee. The committee shall consist of up to six (6) members of the county commission, with the number of members to be determined by resolution of the county commission. The county executive shall serve on the committee as an ex officio member. The committee shall be elected by the commission at its first meeting following the effective date of this act. Thereafter, the committee shall be annually elected by the commission at its regular January meetings. At its first meeting after the election as hereby provided, a Chairman of said Committee shall be elected by the Committee. The County Director of Accounts and Budgets shall also be an ex officio member of said Committee and shall in addition be the ex officio secretary of the Budget Committee. The County Quarterly Court may in its discretion allow members of the Budget Committee such compensation for their services as the Court may deem proper. Any provision for compensation, as well as provision for printing, publicity, supplies and other necessary expenses of the Budget Committee, shall be payable from the County General Fund and shall be included in the annual appropriation. The Budget Committee shall perform all of the duties respecting county budgets and appropriations now performed, or required to be performed, by the County Finance Committee and shall perform such other duties as herein provided.

As amended by: Private Acts of 2003, Chapter 16

SECTION 2. That there is hereby created a fiscal year for Maury County and for each office, department, institution, activity, and agency thereof, which fiscal year shall begin on the first day of July of each year and shall end on the thirtieth day of June next following. Said fiscal year shall constitute the budget year, and the year for accounting and reporting of each and every office, department, institution, activity and agency of the county government; but the aforesaid provision shall be in addition to, and not in lieu of, any accounting and reporting now required of any official by general law.

SECTION 3. That the County Highway Directors or Superintendent shall on or before the first day of April of each year file with the Director of Accounts and Budgets an itemized statement of the funds estimated to be required for the county road program for the ensuing fiscal year and for the construction, operation,

repair and maintenance of the county road system and for the general administration of the highway department, together with an estimate of the highway and road funds expected to be received during such fiscal year.

The County Board of Education shall, after preparing its annual budget as now provided by law, file such budget with the Director of Accounts and Budgets for inclusion in the complete budget document to be presented to the Budget Committee.

The County Judge or Chairman, on or before the first day of April of each year, shall file with the Director of Accounts and Budgets an itemized statement of the amounts which he estimates are necessary to be expended from the County General Fund, the debt service funds, and from all other funds (excluding highway funds, school funds, and funds derived from the sale of bonds), together with an estimate of the revenue to be received during the next fiscal year.

The Board of Trustees of the Maury County Hospital, on or before the first day of April of each year, shall file with the Director of Accounts and Budgets an itemized statement of the amounts which is estimated is necessary to be expended or required for the operation, maintenance, and control as provided by law for the Maury County Hospital, together with an estimate of the funds expected to be received and from what sources during such fiscal year.

The County Board of Park Commissioners on or before the first day of April of each year shall file with the Director of Accounts and Budgets an itemized statement for the amounts which is estimated to be required for the operation and maintenance of the Maury County Park and for the administration thereof, together with an estimate of any and all funds expected to be received from other sources during such fiscal year.

Each of the other operating departments, institutions, offices and agencies shall file with the Director of Accounts and Budgets on or before April 1st of each year a detailed estimate of its requirements for expenditures from the county's funds for the ensuing year, together with an estimate of any county revenues to be received by such agency, office or department.

The Director of Accounts and Budgets, shall on or before May 1st of each year file a consolidated budget document with the Budget Committee showing an itemized statement of the amounts estimated by the various departments and officials to be required for the efficient operation of the county government from the County General Fund, the debt service funds, highway funds, school funds and all other funds, together with an estimate of the revenues estimated to be received by each of the funds during the next fiscal year and an estimate of the unencumbered cash balance of each of said funds at the beginning of said fiscal year.

It shall be the duty of each official, office, department, institution, agent, or employee of the county government to furnish in writing such information, in such form and at such time as may be requested by the Budget Committee.

SECTION 4. That at least forty-five days prior to the beginning of each fiscal year the budget committee shall review and adopt the annual budget. Said budget shall contain an itemized and classified plan of all proposed expenditures and estimated receipts for the ensuing fiscal year, and shall conform to the uniform classification of accounts established by the Director of Accounts and Budgets.

Opposite each item of estimated revenue the Budget Department shall show in opposite parallel columns the amount actually collected for the last completed fiscal year, a revised estimated amount for the current fiscal year, and the estimate for the ensuing fiscal year.

Likewise opposite each item of proposed expenditures the budget document shall show the amount actually expended for such item during the last completed year, the probable amount which will be spent during the current fiscal year and the proposed appropriations or expenditures estimated for the ensuing fiscal year.

In preparing the budget, the Budget Committee may revise, as it deems necessary, the estimates or requests made by the various departments, officials, offices, institutions and agencies of the county, but any county official or employee shall be entitled to a hearing before the Budget Committee with reference to any contemplated changes in his budget requests or estimates.

The Budget Committee shall certainly and fully provide in the budget for all requirements of debt service, interest and bond maturities and for any cash deficit in any fund at the beginning of the fiscal year, and shall propose a tentative tax rate for the current calendar year.

SECTION 5. That on or before May 25th of each year the Budget Committee shall cause a synopsis of the proposed budget, and a statement of the tax rate required to finance the proposed budget, to be published in a newspaper having general circulation in such county. Said publication shall also contain a notice of a public hearing to be conducted by said Budget Committee at which any citizen of the county

shall have the right to appear and state his views on the budget. Provided that such public hearing shall be held by the Budget Committee not later than thirty days prior to the beginning of the fiscal year.

Following such public hearing, the Budget Committee shall make the final revision of the budget document and prepare copies for presentation to the Maury County Quarterly Court.

SECTION 6. That the Budget Committee shall present the budget to the County Quarterly Court at its regular July session each year or at a special session called for the purpose during the month of July. The proposed budget shall be accompanied by a budget message explaining the financial program and outlining the services, work and activities to be financed by the proposed budget and a brief discussion of the means proposed for financing the expenditure program set forth in the budget. With the proposed budget, the Budget Committee shall deliver to the County Quarterly Court a budget appropriation resolution and a tax levy resolution.

The County Quarterly Court may alter or revise the proposed budget except as to provision for debt service requirements and for other expenditures required by law, but the County Quarterly Court shall finally adopt a budget not later than the third Monday in July. Pending such final adoption the Director of Accounts and Budgets is hereby authorized to make temporary allotments for expenditures for essential county services, in amounts not in excess of the comparable allotment for an average quarter of the preceding fiscal year.

The budget, the appropriation resolution, and the tax levy resolution, shall be spread upon the minutes of the County Quarterly Court.

SECTION 7. That the appropriations made in the appropriation resolution, or any amendment thereto, shall constitute the limit to expenditures for the various purposes and from the several funds of such county for the fiscal year covered by said resolution, and no expenditures shall be made or obligation created in excess of such limitation. Provided further, that any resolution presented to the Quarterly County Court or other governing body in any fiscal year, after the original appropriation resolution has been adopted and the tax rate for the year fixed by said Court, which provides for an appropriation in addition to those made in the original budget appropriation resolution, shall specifically provide sufficient revenue or other funds to meet expenditures to be made in consequence of such additional appropriation.

Provided, further, that if at any time during the fiscal year it shall become apparent that the revenues of any of the county's funds together with its unencumbered cash balance at the beginning of such year, will not be sufficient to equal the amount of the original appropriations, it shall be the duty of the Director of Accounts and Budgets and the chairman of the County Quarterly Court or other governing body to impound the appropriations from such fund in such amount as shall appear necessary, subject to the written approval of the Budget Committee.

The appropriations made by the Quarterly Court or other governing body, as provided above, shall constitute authorization for expenditures; and expenditures may be made and obligations created against any appropriation to an aggregate total of the amount appropriated for such item. However, the expenditures and encumbrances against the amounts appropriated shall be made only in consequence of an order issued by appropriate department heads and subsequent approval of the invoice by the Director of Accounts and Budgets; except that payrolls and bills for telephones, water, gas, electric, and other utility services, shall first be checked and approved for payment by the various departments or otherwise as provided by law and county obligations imposed by law shall be approved by the proper authority before being submitted to the Director of Accounts and Budgets for payment. No expenditures made or obligations created in any manner other than so specified or authorized in this chapter shall be valid or binding against the county. Provided, however, that the Budget Committee may issue such regulations as it deems necessary for the prompt handling of bona fide emergencies.

Accounts and other obligations of the County Department of Education, other than payrolls, after pre-audit by the Director of Accounts and Budgets, shall be paid by disbursement warrants drawn on the county trustee by the County Board of Education, but copies of all disbursements issued by the Board of Education, showing the accounting classification chargeable, shall be furnished by the Board of Education to the Director of Accounts and Budgets daily as issued. In lieu of such requirement, such disbursement warrants may be prepared in the office of the Director of Accounts and Budgets for the County Board of Education.

Expenditures from all other funds of the county, except school funds, shall be made by disbursement warrants on the County Trustee signed by the county chairman and the Director of Accounts and Budgets, and no other official, department, institution or agency of the county shall issue negotiable warrants or vouchers for such expenditures. But before any disbursement warrant shall be issued in discharge of any obligation, a detailed invoice or statement thereof shall be filed with the Director of Accounts and Budgets, and it shall be his duty to carefully check all such invoices to determine if they are correct, if the goods or

services have been received or rendered as stated, and if the obligation is just, authorized and legally binding on the county.

Bills and accounts incurred in accordance with authorized appropriations shall be paid promptly in order that the county may obtain the benefit of cash discounts; and for this purpose, it shall not be necessary for any such bill or account to be filed and recorded by the County Court Clerk or to be approved before payment by the County Quarterly Court or by any committee or commission appointed by it.

SECTION 8. That the Director of Accounts and Budgets shall make a report at the end of each month showing the condition of the budget. Said report shall show for each item of appropriation, and/or allotment thereof, the total expenditures for the month and the year to date, the amount of outstanding encumbrances and the amount of the unencumbered balance. Said report shall also show for each fund an itemized statement of the revenues and receipts estimated for the year, and the amount of the collections of each item for the month and the year to date and the unrealized portion of the estimate. In a parallel column shall be shown the amount of each item or revenue during the comparable elapsed period of the preceding fiscal year. The most recent of such reports shall be presented by the County Judge or chairman at each regular session of the Maury County Quarterly Court or other governing body. At such time shall advise the County Quarterly Court of the condition of the budget, and of any other action which, in his opinion, the County Quarterly Court should make in order that the budget shall be kept in balance (sic)

SECTION 9. That any official or employee of the county, or of any institution or agency thereof, who shall fail or refuse to perform the duties required of him by this chapter, or who shall fail or refuse otherwise to conform to the provisions of this chapter shall be guilty of a misdemeanor and shall be subject to fine and to removal from his office or position.

SECTION 10. That the provisions of this chapter shall not apply to county school funds for any purpose, the County Board of Education and the County Superintendent unless approved by the State Commissioner of Education.

SECTION 11. That there is hereby created the office of Director of Accounts and Budgets who shall be a county employee, and who shall be appointed by the Maury County Budget Commission with the approval of the Maury County Quarterly Court. He shall be qualified by training and experience in the field of accounting to perform his duties in a proficient manner and in accordance with generally recognized principles of governmental accounting. Before assuming his duties he shall execute a corporate surety bond; the amount of which shall be established by the County Judge or chairman at not less than Ten Thousand Dollars (\$10,000) nor more than Twenty-five Thousand Dollars (\$25,000). Said bond shall be approved by the County Quarterly Court and shall be recorded in the office of the Register of Deeds in the same manner as are the bonds of all county officials. The premium for such bond shall be paid from the County General Fund.

The compensation of the director of accounts and budgets, which shall not be less than compensation allowed county officials in accordance with Sections 8-2402 and 8-2403, nor more than ten thousand dollars (\$10,000) to be determined by the Quarterly County Court; and the amount of such compensation and the amount of any assistants or typists as approved by the budget committee and other necessary expenses of his office, as approved by the budget committee, shall be provided for by annual appropriation from the county general fund. The Quarterly County Court of Maury County, at its July term, shall review the salary of the director of accounts and budgets and his assistants or typists, and may in its discretion authorize a monthly salary increase for the director of accounts and budgets and his assistants or typists. The Quarterly County Court may authorize a monthly salary increase for the director of accounts and budgets and his assistants or typists, in an amount it deems justifiable, to become effective immediately, or at some preceding month, or by a series of pay raises over any period of months, as long as the total amount of salary increments does not exceed a maximum of two hundred and fifty dollars (\$250.00) above his 1970 monthly income or the other salary limitations imposed by this section.

The Director of Accounts and Budgets shall have power, in accordance with such regulations as may be established from time to time by the County Budget Committee, to appoint and remove his assistants, to prescribe their duties, and to fix their salaries within the limits of the annual appropriation.

As amended by: Private Acts of 1969, Chapter 42
Private Acts of 1971, Chapter 96

SECTION 12. That there shall be set up and maintained in the office of the Director of Accounts and Budgets a system of fiscal procedure, control and centralized accounting, hereinafter set out and described, which shall be under the administrative control and direction of the Director of Accounts and Budgets; but such system shall be conducted in full accordance with the general law of this State respecting the duties and responsibilities of the county judge or chairman as fiscal agent of the county.

The system of fiscal procedure, control and accounting herein provided shall conform to generally accepted principles of governmental accounting and shall be in substantial agreement with the

recommendations of the national committee on governmental accounting. The system shall include such records and procedures as may be required to accurately reflect the assets, liabilities, income, and expenditures of each fund of the county, together with such records, accounts, and files as are necessary to record an control:

1. The transactions relating to county revenues, and the revenues for each of its several funds:
2. The transactions relating to the adopted budget and appropriations, including the expenditures and encumbrances against each item of appropriations;
3. The transactions relating to the bonded debt; and
4. Such other records as may be necessary to facilitate the operation of the adopted budget and the proper accounting for each item of county expenditure.

SECTION 13. That it shall be the duty of the Director of Accounts and Budgets to post and otherwise keep the records of the central accounting system; to verify all bills, invoices, payrolls and claims against the county before payment; and to check the settlements and reports of the various officials and department heads of the county government.

The Director shall also, after careful pre-audit of invoices, bills, and claims against the county or any of its funds, prepare disbursement warrants on all county funds. It shall be the duty of such Director to sign all county disbursement warrants as evidence of his audit and approval of the expenditure made thereby, but no disbursement warrant drawn on the County Trustee shall become a county liability payable by the County Trustee until such warrant shall also have been signed by the county chairman, County Superintendent of Schools, or other official or officials whose signatures are required on such warrants.

The Director shall install a uniform classification of accounts, including a classification of revenues and expenditures, to be used in accounting, budgeting, and financial reporting respecting all county funds, offices, agencies, and activities of the county governments, and shall prescribe the forms to be used by each official and employee of the county in connection therewith.

The Director shall set up and maintain a double entry system of accounting for recording the transactions of all of the county's funds, including both proprietary and budgetary accounts, in conformity with the requirements of Section 5-1304. The accounts shall be kept on the modified cash basis.

The Director shall set up the necessary accounts to properly record the annual budget and each appropriation made by the Quarterly County Court. All encumbrances, expenditures or other charges against any item of the budget shall be promptly recorded in order that the unencumbered balance of each item of the budget shall be readily ascertained at all times.

At the end of each month the Director shall prepare a comprehensive report of all revenues and expenditures of the county and of each of its several funds, departments, offices, agencies and activities, all encumbrances against the several appropriations, and the condition of each item of appropriation in the annual budget. The most recent of such reports shall be presented to the Quarterly County Court at each quarterly meeting and copies of such reports shall be furnished the members thereof.

The Director shall pre-audit all payrolls of the county before payment and shall maintain complete earnings records of each employee of the county. The Director and the County Judge or chairman of the Quarterly County Court are hereby authorized to maintain a special county payroll account at a local bank at the county seat, in which disbursement warrants for the total of each payroll may be deposited and against which individual net earnings checks may be issued to each of the county employees. The County Judge or chairman may authorize the issuance of such payroll checks on the signature of the Director of Accounts and Budgets, and in such event the depository bank shall be so instructed.

SECTION 14. That excepting taxes such as the County Trustee is authorized to collect, the payment of all moneys to the County Trustee by any collectors authorized by statute, or by anyone on account due the county, shall be made only by issuance of a receivable warrant signed by the County Judge or chairman instructing the Trustee to receive the amount named, for which the Trustee shall issue his receipt, duplicate of which shall be delivered to the Director of Accounts and Budgets to be used by him in posting the accounting records.

SECTION 15. That before any obligation against the county shall be paid or any disbursement warrant or voucher issued therefor, a detailed invoice or statement approved by the head of the office, department or agency for which the obligation was made shall be filed with the Director of Accounts and Budgets. Said Director shall make a careful pre-audit of such invoice or statement, including a comparison with any encumbrance document previously posted or filed authorizing such obligation, and shall approve for payment only such items as appear to be correct, properly authorized, and not exceeding the otherwise unencumbered balance of the allotments or appropriations against which they are chargeable. Disbursement warrants shall be promptly prepared for all such approved items by the Director of Accounts

and Budgets and mailed or delivered to the payees thereof.

A duplicate copy of all disbursement warrants, with all original invoices and/or other supporting documents attached thereto, shall be kept on file in the office of the Director of Accounts and Budgets.

SECTION 16. That each official, office, department, institution, agency, board, committee, commission or employee of the county shall furnish such information and make such reports as may be required to properly maintain the central accounting system and fiscal procedures herein authorized and prescribed, and such information and reports shall be furnished at such times and in such form as may be prescribed by the Director of Accounts and Budgets. The records of all county offices, departments, and agencies shall be made available by their respective officials or employees for examination at all reasonable hours by the Director of Accounts and Budgets.

SECTION 17. That the provisions of this Act shall not apply to the Maury County Hospital, except with reference to the submission of the annual budget as provided for in Section 3 of this Act.

SECTION 18. That any official named in this chapter, or any other official, agent, or employee of the county who shall fail or refuse to perform the duties required of him under this chapter, or who shall otherwise fail or refuse to conform to the provisions of this chapter, shall be deemed guilty of a misdemeanor, and subject to removal from office.

SECTION 19. That the provisions of this chapter shall not apply to county school funds for any purpose, the county Board of Education, and the County Superintendent unless approved by the State Commissioner of Education.

SECTION 20. That this Act shall have no effect unless the same shall have been approved by two-thirds vote of the quarterly county court of any county to which it may apply on or before the next regular meeting of such quarterly county court occurring more than thirty days after its approval by the Chief Executive of this State, or after its otherwise effective date. Its approval or non-approval shall be proclaimed by the presiding officer of the body having jurisdiction to approve, and shall be certified by him to the Secretary of State.

SECTION 21. That this Act shall be effective from and after its passage, the public welfare requiring it, but the provisions thereof shall not become operative until validated as provided in Section 20 herein.

Passed: March 20, 1963.

County Attorney

Acts of 1901 Chapter 287

SECTION 1. That there is hereby created the office of County Attorney of Maury County, said officer shall be elected by the Quarterly County Court of Maury County at its July term for a period of four years, and regularly thereafter on the first Monday of April every four years. The salary of the County Attorney shall be per annum, payable quarterly out of the County Treasury (sic).

As amended by:

Private Acts of 1925, Chapter 26

Private Acts of 1929, Chapter 898

Private Acts of 1933, Chapter 717

SECTION 2. That it shall be the duty of the County Attorney to attend to the legal business of the county and to represent the State in all cases in the Criminal Court of Maury County, and he shall have all of the power and authority with the Grand Jury when sitting for the Criminal Court, and to prepare and sign bills of indictment as heretofore possessed by the District Attorney General in such cases, and shall take the same oath of office as is administered to the District Attorney Generals (sic).

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

Passed: April 5, 1901.

Private Acts of 1989 Chapter 37

SECTION 1. The Legislative Body of Maury County is authorized to fix the annual salary of the County Attorney of such county from time to time provided such salary shall not be less than sixteen thousand two hundred fifty dollars (\$16,250) nor more than the compensation established in Tennessee Code Annotated, Section 8-24-102, as amended, for other county officials. Such annual salary shall be payable from the general funds of Maury County.

SECTION 2. Chapter 42 of the Private Acts of 1973, Chapter 182 of the Private Acts of 1978 and Chapter

11 of the Private Acts of 1981 are repealed.

SECTION 3. This act shall have no effect unless it is approved by a two-thirds (2/3) vote of the Legislative Body of Maury County. Its approval or nonapproval shall be proclaimed by the presiding officer of the Maury County Legislative Body 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 23, 1989.

County Auditor

Private Acts of 1951 Chapter 652

SECTION 1. That there is hereby created the office of County Auditor for Maury County, Tennessee.

SECTION 2. That the qualifications of said official shall be that he be a resident of the State of Tennessee, but not necessarily a resident of Maury County, Tennessee, and that he be not less than twenty-five years of age, and that he must be a Certified Public Accountant.

SECTION 3. That the Quarterly County Court of Maury County, Tennessee, shall by resolution fix the term of office and the amount of salary to be paid to such County Auditor, who shall upon his election take an oath and furnish bond for the faithful performance of his duties as shall be required by the Quarterly County Court.

SECTION 4. That after the Quarterly County Court has adopted such resolution fixing the term of office and the salary of such auditor, said Quarterly County Court may then elect such auditor by majority vote.

SECTION 5. That said Auditor shall audit the books of all County Officers and Employees, and make quarterly periodic reports to the Quarterly County Court, and all members of said Court and all citizens of the County shall have access to said reports.

SECTION 6. That the Quarterly County Court shall have the authority to appropriate funds out of the General Fund of said County for the purpose of paying the salary of said Auditor and the expense incident to maintaining such office.

SECTION 7. That nothing hereinabove shall make it obligatory upon said Quarterly County Court to elect said County Auditor under this Act, or fix his term of office and salary.

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

Passed: March 16, 1951.

County Chemist and Mineralogist

Acts of 1907 Chapter 496

SECTION 1. That the County Courts in counties having a population of not less than 42,700 nor more than 43,000 according to the Federal Census of 1900 or any subsequent Federal Census be, and the same are hereby, empowered to establish the office of County Chemist and Mineralogist for said counties; and, further, said County Courts are authorized to elect at their quarterly session on the first Monday of July, 1907, and every two years thereafter a competent person to perform the duties of such office.

SECTION 2. That the County Courts of said counties may provide such compensation as they may deem proper, not to exceed fifteen hundred dollars (\$1500) per annum, for such person elected to perform, and performing the duties of said office at the time of his or her election; that the same shall be paid quarterly out of the county treasury of said counties upon the order of the County Judge or Chairman.

SECTION 3. That the duties of said County Chemist and Mineralogist shall be to examine, test, or analyze all minerals from the soil of their county presented to him by citizens of their county and report the result to such persons, firms, or corporation presenting said minerals for his opinion, test, or analysis; that for all analyses actually made said Chemist and Mineralogist shall be entitled to collect \$1 fee for each analysis from the person, firm, or corporation for whom said analysis is made. Said fees shall be applied as the County Courts may provide.

SECTION 4. That said Chemist and Mineralogist shall keep his office at some suitable place at the county seat of his county, and shall, without favor or partiality to any person, firm, or corporation, perform the duties of his office as public Chemist and Mineralogist for said county.

SECTION 5. That the County Courts of said counties are here empowered and authorized to make rules and regulations not in conflict with the provision herein to govern the conduct and business of said office.

SECTION 6. That the office of County Chemist and Mineralogist shall be, and is hereby, declared to be a county office, and the person elected to and performing the duties of said office shall be amenable to all the general laws governing the conduct of county officers, and shall, before entering upon the duties of said office, take and subscribe to an oath to faithfully perform the duties of said office as provided for other county officers.

SECTION 7. That the person elected to said office and performing the duties thereof shall be a person versed in chemicals and minerals and experienced in assaying and analyzing the minerals of the soil, and that no person shall be eligible to said office who is not thoroughly competent (sic) to correctly assay or analyze and report upon any minerals common to the State of Tennessee.

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

Passed: April 13, 1907.

County Legislative Body

Private Acts of 1951 Chapter 554

SECTION 1. That the County Court of Maury County, under the provisions of Section 9 of Article II, of the Constitution of Tennessee, is vested with powers to pass ordinances with regard to private and local affairs hereinafter expressly set forth, by the affirmative vote of a majority of the members thereof, at any meeting of said County Court; providing notice of intention to present such ordinances or ordinance has been given in the manner hereinafter set forth.

SECTION 2. That an ordinance under the powers which it is deemed expedient to vest in said County Court shall only be considered by the County Court of Maury County after notice of intention to propose an ordinance, together with a copy of the proposed ordinance under the authority of this Act, shall have been filed in the office of the Clerk of the County Court of Maury County, at least two weeks prior to the session of the County Court at which such ordinance shall be considered.

SECTION 3. That it shall be the duty of the Clerk of the County Court of Maury County, upon the filing of intention to propose an ordinance, together with a copy of said proposed ordinance, to cause to be published in at least one newspaper of general circulation in Maury County, a copy of said proposed ordinance, together with a copy of the notice of intention to propose said ordinance. Said newspaper publication shall carry the following statement, over the name of the County Court Clerk, "The above is a copy of an ordinance filed in my office on the _____ day of _____, 19____, by Esquire_____. Said ordinance may be considered at any meeting of the County Court of Maury County at any time within two weeks after the date said ordinance was filed."

SECTION 4. That acting as herein set forth said County Court of Maury County may by ordinance: (1) Establish speed and/or load limits upon any county secondary roads, outside of incorporated towns, in said County; (2) Establish the hours and days of opening and closing of all county public offices in said County; (3) Enact Health ordinances, applying to sections outside incorporated towns, in said County.

SECTION 5. That acting under the provisions of this Act, the County Court of Maury County may provide that any violation of any ordinance, passed under the provisions of this Act, is a misdemeanor.

SECTION 6. That the provisions of this Act are hereby declared to be severable; and that if any section, provision, exception, sentence, clause, phrase, or part of this Act, be held unconstitutional or void, the remainder of this Act shall continue in full force and effect, it being the Legislative intent now hereby declared that this Act would have been adopted even if such unconstitutional or void matter had not been included in same.

SECTION 7. That this Act shall take effect from and after its passage, the public welfare requiring it.

Passed: March 13, 1951.

COMPILER'S NOTE: See T.C.A. 55-8-153 which states, generally, that counties may impose speed limits lower than state imposed limits set forth in T.C.A. 55-8-152.

Curfew for Minors Act

Private Acts of 2001 Chapter 68

SECTION 1. This act shall be known and may be cited as the "Curfew for Maury County Minors Act of

2001."

SECTION 2. The purpose of this act is to increase the public safety for minors and citizens in Maury County through creation of a curfew for minors.

SECTION 3. Curfew for Minors.

(a) No person under the age of eighteen (18) years shall loiter, idle, wander, play or be in and upon the public streets, highways, alleys, parks, playgrounds, schools or other public grounds, public places, and public buildings, places of amusement and entertainment, vacant lots or any unsupervised place within Maury County, Tennessee, between the hours of 11:00 P.M. and 5:00 A.M. Sunday through Thursday and 12:00 midnight and 5:00 A.M. on Friday and Saturday, provided, however, that this section shall not apply to any minor accompanied by his or her parent, guardian or other adult person having the care and custody of said minor; any minor upon an emergency errand or legitimate business directed by his or her parent, guardian, or other adult person having the care and custody of said minor; a child attending or returning from a school or social function for which the minor has written permission in the minor's possession from the minor's parent, guardian, or other adult person having the care and custody of said minor; or any minor going to or returning from any legitimate employment.

(b) A minor violating the provisions of this act shall commit an unruly act disposition of which shall be governed pursuant to Title 37 of the Tennessee Code Annotated.

(c) No parent, guardian or other person having the care and custody of a child under the age of eighteen (18) years shall knowingly permit such minor to loiter, idle, wander, play or be in and upon the public streets, highways, alleys, parks, playgrounds, schools or other public grounds, public places, public buildings, place of amusement and entertainment, vacant lots or other unsupervised places in Maury County, Tennessee, between the hours of 11:00 P.M. and 5:00 A.M. Sunday through Thursday and 12:00 midnight and 5:00 A.M. on Friday and Saturday, provided, however, that this shall not apply to a minor that falls within the exceptions set forth in Section 3 (a) of this act.

(d) Any parent, guardian or other person having the care and custody of a minor whose child has been the subject of a petition under this act and who has been ordered by the court to require such child to comply with the provisions of this act may be held in contempt pursuant to Tennessee Code Annotated, §37-1-158, if there is a subsequent violation by the minor; and the juvenile court may fine the parent, guardian or other person up to fifty dollars (\$50.00), may incarcerate such person for up to ten (10) days or may impose both fine and incarceration. Prior to holding such person in contempt, the court shall have such person served with notice and shall provide an opportunity to be heard by the court.

SECTION 4. 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 5. This act shall have no effect unless it is approved by a two-thirds (2/3) vote of the legislative body of Maury County. Its approval or non-approval shall be proclaimed by the presiding officer of the Maury County legislative body and certified to the secretary of state.

SECTION 6. 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 5.

Passed: June 28, 2001.

Ex-Service Officer

Private Acts of 1945 Chapter 49

COMPILER'S NOTE: For general state law on this subject see T.C.A. 58-3-109 through 58-3- 111.

SECTION 1. That in all Counties having a population of not less than 40,352 nor more than 40,362 according to Federal Census of 1940 the Quarterly Court of such Counties either in regular session or at special session are authorized to create an office known as "Ex-Service Officer."

SECTION 2. That the duties of such Ex-Service Officer shall be generally to aid veterans, residents of said Counties, of the armed forces of the United States Government or the members of the families of deceased veterans, residents of such Counties, who may be entitled to participate in the benefits,

pensions and relief measures provided by the United States Congress in the preparation of the claims of such persons who may be so entitled and to prepare and file the claims and applications of such persons with the United States Veterans Administration or any other agency (sic) of the United States Government where such claims or applications should be filed in order to establish the rights and benefits to which said applicants or claimants may be entitled, and to generally in every way necessary aid said applicants or claimants in asserting and establishing whatever may be the rights of said applicants or claimants to any of said benefits provided for by Congress for the Veterans of the armed forces of the United States Government or the families or dependents of such Veterans who are deceased or otherwise incapacitated, and no charge shall be made for any service rendered by such Officer.

SECTION 3. That such Ex-Service Officer shall be selected in such manner as is provided by the Resolution of the Quarterly Courts of such Counties, and such resolution may authorize the appointment through the Local Post of the American Legion, with the approval of its selection by a Committee of the Quarterly Court of such Counties, the appointment of such Ex-Service Officer to be recorded in such manner as is provided by said resolution of said Quarterly Court.

SECTION 4. That such Ex-Service Officer when selected and appointed shall devote his entire time to the performance of the duties of his said office and shall be subject to the directions and control of the Committee which selects said Officer and of the Quarterly Court of said Counties or the Committee selected by it for said purpose.

SECTION 5. That said Ex-Service Officer shall hold his office at the pleasure of said electing Committee and be discharged in such manner as is provided by the Resolution of the Quarterly Court of said Counties coming within the terms of this Act, and that such Ex-Service Officer shall be a Veteran of World War No. I or World War No. II and shall be a resident citizen of such Counties.

SECTION 6. That such Ex-Service Officer shall make such reports to the Quarterly Court of such Counties as such officer may be directed to make by the Resolutions of such Courts.

SECTION 7. That the Quarterly Courts of such Counties are authorized to fix the salary of such Ex-Service Officer but not to exceed the sum of Twenty- four Hundred (\$2400.00) Dollars per annum and to appropriate out of the County Tax Account of such Counties the funds with which to pay the salary of said Ex-Service Officer and said salary shall be paid monthly by a warrant drawn on said fund and executed by the proper County officials, provided that the election and appointment of said Ex-Service Officer shall be evidenced by certification of the Committee authorized to appoint and approve the appointment of such Ex-Service Officer, said certification to be to the County Judge or Chairman of the Quarterly Court of said Counties and this certification shall be made a matter of permanent record.

SECTION 8. That the Quarterly Court of such Counties may at the discretion of such Court discontinue the salary of such Ex-Service Officer at any time, such discontinuance to be had by Resolution of said Quarterly Court of said Counties so providing and declaring, and from the date of the passage of such resolution by said Quarterly Court no further funds shall be paid for the salary of such Ex-Service Officer unless and until the Quarterly Court of such Counties by subsequent Resolution so provides.

SECTION 9. That the resolution which any Quarterly Court of said Counties coming within the provisions of this Act have heretofore enacted creating the above office of Ex-Service Officer and providing for his selection and appointment and appropriating funds for the payment of his salary not to exceed the sum of \$2,400.00 per annum is hereby declared to be validated and legal and all payments made under such resolution are hereby declared to be legal and valid.

SECTION 10. That in the event any Section or Sections of this Act shall be declared unconstitutional the remaining Sections of this Act shall continue to be effective, it being declared that it is the intention of the Legislature to enact into law each Section of this Act.

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

Passed: January 18, 1945.

Financial Management

Private Acts of 2018 Chapter 47

SECTION 1. This act shall be known and may be cited as the "Maury County Financial Management System of 2018".

SECTION 2. It is the purpose of this chapter to provide Maury County with a modern and efficient system for the management of county finances, including, but not limited to, accounting, budgeting, purchasing, debt management, grant management, payroll, and cash management.

SECTION 3.

(a) This chapter shall become effective in Maury County upon a two-thirds (2/3) majority vote of the county legislative body adopting this chapter.

SECTION 4. As used in this chapter, unless the context otherwise requires:

- (1) "Agency" means any entity of the county government, including, but not limited to, boards, commissions, departments and offices headed by employees or officers of the county whose funds are maintained by the county trustee;
- (2) "Capital asset" means land, improvements to land, easements, buildings, building improvements, vehicles, machinery, equipment, works of art and historical treasures, infrastructure, and all tangible or intangible assets that are used in operations and that have initial useful lives extending beyond a single reporting period;
- (3) "Chief administrative officer" has the same meaning as defined in § 54-7-103;
- (4) "County mayor" means county executive or county mayor;
- (5) "Purchase" means the purchase, lease, lease-purchase, or contract for procurement of real and personal property or services or any combination thereof; and
- (6) "Special committee" means any of the following: budget committee, purchasing committee, investment committee, or debt management committee.

SECTION 5.

(a) There is created a finance department to administer the finances for all funds of the county maintained by the county trustee.

(b) The finance department shall be responsible for accounting; budgeting; purchasing, unless a separate central purchasing department is created as provided in Section 9(e)(2); debt management; grant management; payroll; and cash management for all agencies of the county as provided in this chapter. The finance director, with the approval of the Financial Management Board, shall develop a system in conformity with generally accepted governmental accounting principles and practices prescribed by the comptroller of the treasury.

(c) The operating budget of the finance department and central purchasing department, if created, shall be allocated between the county general fund, county highway fund and county general purpose school fund. Each fund's allocation shall be based upon the percentage of expenditures budgeted from the fund in the last adopted operating budget of the county for a fiscal year as compared to the total expenditures budgeted from these three (3) funds. The county legislative body may elect to permanently reallocate revenues and expenditures from these three (3) funds and fund the budget of the finance department and central purchasing department, if created, solely in the county general fund without affecting maintenance of effort in the highway fund and county general purpose school fund.

(d) The county legislative body shall provide adequate office space and shall appropriate adequate funds for equipment and supplies necessary for the efficient operation of the finance department and central purchasing department, if created.

(e) All employees performing the functions of accounting, budgeting, purchasing, debt management, grant management, payroll, and cash management for the various agencies of the county shall be transferred to the finance department or central purchasing department and shall function under the supervision of the finance director or purchasing agent, except for the following: any employees the finance director or purchasing agent does not require and the head of the agency agrees to retain, and employees of any officer enumerated in Tennessee Code Annotated, Section 8-22-101, needed to perform the duties of such office as determined by such county officer. Notwithstanding any other law to the contrary, all employees transferred to the finance department or central purchasing department and the salaries, benefits, and expenses relating to such personnel shall be budgeted under the finance department or central purchasing department. Officers enumerated in Tennessee Code Annotated, Section 8-22-101, may continue to have employees to perform duties regarding receipt and disbursement of funds, and accounting for same, which are directly related to the duties of their respective offices; provided, that all other accounting, budgeting, purchasing, debt management, grant management, payroll and cash management functions shall be performed by the finance department or central purchasing department, except as otherwise specified in this chapter.

(f) All fees and commissions allowed, collected or in any manner received by any county officer enumerated in Tennessee Code Annotated, Section 8-22-101, as a fee or commission of the office shall be transferred to the county trustee monthly and deposited in the county general fund. The county legislative body shall make the necessary appropriations from the county general fund and pay to any officer

enumerated in Tennessee Code Annotated, Section 8-22-101, the salary as fixed by Tennessee Code Annotated, Section 8-24-102, and the authorized expenses fixed by law for the operation of the office, including the salaries and related expenses of all deputies and assistants as authorized by Tennessee Code Annotated, title 8, chapter 20, irrespective of the fees earned or collected by the officers. The number and salary of deputies and assistants of the officers listed in Tennessee Code Annotated, Section 8-22-101, shall continue to be set pursuant to Tennessee Code Annotated, title 8, chapter 20.

(g) Any county officer enumerated in Tennessee Code Annotated, Section 8-22-101, shall continue to maintain an official bank account as provided in Tennessee Code Annotated, Section 5-8-207.

(h)

(1) Notwithstanding subsections (a)-(g), the county legislative body, by resolution adopted by a two-thirds (2/3) majority vote, may exclude from this chapter any facility that is owned or operated by the county and utilizes an enterprise fund, including, but not limited to, any nursing home, long-term care facility, or assisted living facility. If any of these facilities are excluded, the county legislative body may establish, by resolution, after allowing the Maury county Financial Management Board to submit recommendations, financial procedures and reporting requirements for these excluded facilities, including:

(A) Monthly financial reports;

(B) Annual audits by persons or entities approved by the Maury County Financial Management Board and the comptroller of the treasury;

(C) Inspection of records, bank statements, and other financial records; and

(D) Approval of the annual budget by the county legislative body after receiving the recommendation of the budget committee.

(2) If the funds of a facility are excluded from the provisions of this chapter pursuant to this subsection (h), the funds of the facility may be included for the next succeeding fiscal year and each succeeding fiscal year upon adoption of a resolution of the county legislative body by a two-thirds (2/3) majority vote.

(i) Notwithstanding (a)-(g), the Maury County Hospital DBA Maury Regional Medical Center (Hospital) or any other joint venture owned in whole or in part by the Hospital or its subsidiaries, and the Maury County Water System shall not be subject to this Private Act.

SECTION 6.

(a) A Maury County Financial Management Board is created.

(b) The Maury County Financial Management Board shall consist of seven (7) members as follows: the county mayor; county trustee; chairperson of the county board of education; and four (4) members of the county legislative body (no more than one (1) commissioner per district) elected by the county legislative body.

(c) The Maury County Financial Management Board at its first meeting after September 1 of each year shall elect a chairperson for a term of one (1) year and shall annually elect a vice-chairperson who shall serve as chair of the Maury County Financial Management Board during the absence of the chairperson.

(d) The Maury County Financial Management Board shall meet quarterly. Also, an additional meeting(s) can be at the call of the chairperson or a majority of the members as necessary and prudent for the discharge of its duties

(e) The finance director shall be secretary to the Maury County Financial Management Board and shall be responsible for keeping records of the actions of the Maury County Financial Management Board. The finance director may speak at meetings of the Maury County Financial Management Board as the Maury County Financial Management Board may deem proper; provided, that the finance director shall not vote on any matter before the Maury County Financial Management Board.

(f) The Maury County Financial Management Board shall establish and approve policies, procedures, and regulations in addition to the specific provisions of this chapter, for implementing a sound and efficient financial system for administering the funds of the county. The financial system shall include accounting, budgeting, purchasing, debt management, grant management, payroll and cash management; provided, that the Maury County Financial Management Board shall not usurp the powers and duties of the special committees that may be established pursuant to this chapter.

(g) The Maury County personnel policies apply to the finance department not in conflict with Tennessee Code Annotated, title 5, chapter 23.

(h) The Maury County Financial Management Board shall adopt policies, procedures, and forms that shall

be used to account for capital assets in accordance with generally accepted governmental accounting principles. All county officials, department heads and employees shall, upon request, supply to the finance director information necessary to establish and maintain records of capital assets.

SECTION 7.

(a) The county legislative body shall establish an audit committee in accordance with Tennessee Code Annotated, Section 9-3-405(b), unless a county legislative body has previously established an audit committee pursuant to Tennessee-Code Annotated, Section 9-3-405(a). All meetings of the audit committee shall be governed by Tennessee Code Annotated, Section 9-3-405(c)-(i).

(b) The county legislative body may, by resolution, create and constitute any or all of the separate special committees as provided in subdivisions (2)-(4) of this subdivision (b). Maury County shall have a budget committee in accordance with subdivision (b)(1). If any of the special committees are not created, the budget committee shall assume the duties of the special committees; however, if the budget committee assumes the duties of the investment committee, the county trustee shall be consulted on all investment decisions. The special committees are as follows:

- (1) A budget committee, which shall consist of seven (7) members, must all be members of the county legislative body elected by the county legislative body.
- (2) A purchasing committee, which shall consist of five (5) members of the county legislative body.
- (3) An investment committee, which shall consist of five (5) members of the county legislative body.
- (4) A debt management committee, which shall consist of five (5) members of the county legislative body.

(c)

- (1) Appointive or elective members of any special committee created pursuant to this chapter shall be appointed or elected annually to serve for a term of one (1) year and shall be appointed so as to be confirmed by the county legislative body or after September 1 of each year. Each special committee shall annually elect a vice-chairperson to serve in the absence of the chairperson.
- (2) The finance director or the finance director/s designee shall be secretary to each special committee established pursuant to this chapter and shall be responsible for keeping records of the actions of the special committee; provided, however, that if a person other than the finance director is designated as the county purchasing agent, the county purchasing agent shall serve as secretary to the purchasing committee, if created. The secretary may speak at meetings of the special committee as the special committee may deem proper; provided, that the secretary shall not vote on any matter before the special committee.
- (3) The county legislative body shall, by resolution, set the compensation, if any, for the members of the various committees required or authorized by this chapter.
- (4) The county legislative body's rules shall apply to any special committees created under this section.

SECTION 8.

(a)

- (1) The Maury County Financial Management Board shall appoint, subject to a majority approval of the county legislative body, a finance director.
- (2) The Maury County Financial Management Board may dismiss the finance director. The Maury County Financial Management Board shall be responsible for ensuring the finance director complies with the various provisions of this chapter.

(b) The finance director shall for all purposes be an employee of the county, function as a department head, and shall be supervised by the Maury County Financial Management Board and report administratively to the Maury County Financial Management Board and the Budget Committee.

(c) The finance director shall have as a minimum qualification a bachelor's degree from an accredited college or university with at least twelve (12) semester hours of accounting or finance, or both, plus at least three (3) years of experience in an accounting or finance position. During the selection process, the Maury County Financial Management Board and county legislative body shall consider not only the candidate's education and experience, but also professional certifications from nationally recognized

professional organizations in the field of accounting and finance, and other criteria as established by the county legislative body. The finance director shall annually obtain at least twenty-four (24) hours of continuing professional education (CPE) in the field of governmental accounting and finance. If the finance director has achieved a professional certification from a nationally recognized professional organization in the field of accounting or finance, the finance director shall obtain the required number of CPE hours to maintain the professional certification, which hours may be counted toward meeting the twenty-four (24) minimum hours required by this subsection (c). Notwithstanding any of the provisions of this section, any person serving as a director of finance pursuant to the County Financial Management System of 1981, compiled in Tennessee Code Annotated, title 5, chapter 21, director of accounts and budgets pursuant to the County Fiscal Procedure Law of 1957, compiled in Tennessee Code Annotated, title 5, chapter 13, or any similar private act on the date this chapter becomes effective in any county, shall be eligible for appointment as the finance director and shall be required to fulfill the twenty-four (24) minimum hours of CPE annually.

(d) The compensation of the finance director shall be determined by the Maury County Financial Management Board within the limitations of the budget; provided, that the compensation shall not be less than the salary paid to the county trustee, and in addition to the salary, the county shall appropriate sufficient funds to pay for applicable professional organization dues, professional certifications, the costs of obtaining the required twenty-four (24) hours of CPE credit, and the costs of obtaining CPE credit to maintain any professional certifications.

SECTION 9.

(a) The finance director shall be the head of the finance department and oversee its operations. The finance director has authority to hire, promote, demote, discipline, and dismiss employees of the finance department consistent with the personnel policies applicable to Maury County Government. The finance director shall determine compensation of employees of the finance department within the budget and in accordance with Maury County Government policy.

(b) The finance director shall be responsible for implementation of the policies and decisions of the budget committee and the Maury County Financial Management Board and any special committee established pursuant to this chapter.

(c) The finance director shall implement and maintain an accounting, budgeting, purchasing, debt management, grant management, payroll and cash management system for the county and may assist other county officers, the chairperson of the Budget Committee, the chairperson of the Maury County Financial Management Board, and department heads as requested to achieve an efficient financial management system for the county. The finance director shall establish and maintain records of capital assets of the county in accordance with generally accepted governmental accounting principles. The finance director shall annually develop long-range plans for addressing any long-term liabilities and present these plans to the Maury County Financial Management Board for its consideration.

(d) The finance director shall appoint a deputy finance director. The deputy finance director shall be an employee of the finance department and shall perform those duties and responsibilities as are assigned by the finance director. In the absence of the finance director, other than a vacancy in the position, the deputy finance director shall perform the duties of the finance director necessary to the continued operation of the finance department. In the event of a vacancy in the position of finance director, the deputy finance director shall perform the duties of the finance director necessary to the continued operation of the finance department until a finance director is appointed by the Maury County Financial Management Board with the approval of the county legislative body.

(e)

(1) The finance director may serve as purchasing agent; however, the finance director may delegate duties as purchasing agent to the deputy finance director or other employee of the finance department upon notification of this action to the Maury county Financial Management Board. Similarly, any change in the person designated as purchasing agent by the finance director shall be made to the Maury County Financial Management Board.

(2)

(A) As an alternative to subdivision (e)(1), the county legislative body may elect by a two-thirds (2/3) majority approval of the county legislative body, to establish a central purchasing department separate and apart from the central finance department. In that instance, a purchasing committee is required, and the Maury county Financial Management Board shall appoint, subject to a majority approval of the county legislative body, a purchasing agent.

(B) The Maury County Financial Management Board may dismiss the purchasing

agent subject to majority approval of the purchasing committee. The Maury county Financial Management Board shall be responsible for ensuring the purchasing agent complies with the purchasing policies and procedures adopted by the purchasing committee if created. The purchasing committee shall establish minimum qualifications, if any, for the purchasing agent. The purchasing agent shall for all purposes be an employee of the county, function as a department head, and shall be supervised by and report administratively to the Maury county Financial Management Board. The compensation of the purchasing agent shall be determined by the Maury county Financial Management Board within the applicable personnel policies of Maury County Government within the limitation of the budget. The purchasing agent shall be the head of the purchasing department and oversee its operations. The purchasing agent has authority to hire, promote, demote, discipline, and dismiss employees of the purchasing department consistent with the personnel policies applicable to the purchasing department. The purchasing agent shall determine compensation of employees of the purchasing department within the budget and in accordance with Maury County personnel policies.

(C) The purchasing agent shall appoint the deputy purchasing agent. The deputy purchasing agent shall be an employee of the purchasing department and shall perform those duties and responsibilities as are assigned by the purchasing agent. In the absence of the purchasing agent, other than a vacancy in the position, the deputy purchasing agent shall perform the duties of the purchasing agent necessary to the continued operation of the purchasing department. In the event of a vacancy in the position of purchasing agent, the deputy purchasing agent shall perform the duties of the purchasing agent necessary to the continued operation of the purchasing department until a purchasing agent is appointed by the Maury county Financial Management Board with the approval of the county legislative body.

(D) The purchasing department shall be open for business during hours established by county policies and as needed for emergencies or disasters. Notwithstanding the provisions of this subdivision (e)(2), any person serving as a purchasing agent pursuant to county legislative action on the day this chapter becomes effective in the county shall be eligible for appointment as the purchasing agent.

SECTION 10.

(a) The finance director shall execute a surety bond in an amount not less than one hundred thousand dollars (\$100,000), for the faithful performance of the finance director's duties in accordance with the general law on county officials' bonds. The bond shall be prepared in accordance with the provisions of Tennessee Code Annotated, title 8, chapter 19, approved by the county legislative body, filed with the county clerk for safekeeping, and recorded in the office of the register of deeds.

(b) The cost of the bond shall be paid from funds appropriated to the finance department for this purpose.

(c) The amount of the bond may be increased by the Maury County Financial Management Board subject to additional appropriations for the cost of such additional bond amount.

(d) If a purchasing agent is designated other than the finance director, then the purchasing agent shall execute a surety bond in the same amount and manner as the finance director.

SECTION 11

(a) No later than February 1, the director shall deliver forms for all budget requests to all departments, commissions, institutions, boards, offices, and agencies.

(b) No later than March 1, all departments, commissions, institutions, boards, offices, or agencies, except the local board of education, shall deliver the appropriate estimates and budget request to the finance director.

(c)

(1) No later than April 1, the county budget committee shall vote upon the proposed budget and the finance director shall notify the department, commission, institution, board, office, or agency whether the county budget committee approves or rejects the proposed budget.

(2) If approved, the finance director shall immediately forward the proposed budget to the

county legislative body for consideration; or

(3) If rejected, the department, commission, institution, board, office, or agency shall submit a revised budget proposal to the finance director within ten (10) business days after receipt of notice that the budget proposal was rejected.

(d) No later than May 1, each local education agency (LEA) shall submit a proposed budget to the finance director; provided that, the LEA may amend the proposed budget after May 1.

(e)

(1) No later than June 1, the county budget committee shall vote upon the proposed budget and the finance director shall notify the LEA whether the county budget committee approves or rejects the LEA's proposed budget;

(2) If approved, the finance director shall immediately forward the proposed budget to the county legislative body for consideration; or

(3) If rejected, the LEA shall submit a revised budget proposal to the finance director within ten (10) business days after receipt of notice that the budget proposal was rejected.

(f) If the county budget committee of the local governing body rejects the first and second budget proposals from any department, commission, institution, board, office, or agency, then the third and any subsequent proposals shall be delivered directly to the county legislative body which shall approve or reject the proposal within ten (10) business days of the body's receipt of the amended proposal; and

(g) If rejected, the department, commission, institution, board, office, or agency shall submit a revised budget proposal to the county legislative body within ten (10) business days after receipt of notice that the budget proposal was rejected.

(h) The timeline and budgetary process pursuant to this section may be waived or altered, if agreed upon by the county legislative body and the respective department, commission, institution, board, office, or agency.

SECTION 12.

(a) If the county legislative body and the county school board fail to agree upon a budget for the county department of education by August 31 of any year, then, by operation of law, the budget for the county department of education shall be equal to the minimum budget required to comply with the local match and maintenance of effort provisions of the Tennessee basic education program (BEP). However, if for three (3) consecutive years, the county legislative body and school board fail to agree upon a budget and the department of education receives the minimum required funding for that fiscal year by operation of law, then, the budget in the third year shall include a mandatory increase that is equivalent to three percent (3%) of the required funding from local sources for schools; provided however, this increase shall not be required if during any of those three (3) years the school board failed to submit its budget proposals in accordance with the budget calendar provided for in this act.

(b) If the county legislative body fails to adopt a budget, property tax resolution, and appropriation resolution by August 31 of any year, then by operation of law, the operating budget for the ensuing fiscal year, other than the portion for the county department of education, shall be the consolidated budget with proposed amendment submitted by the county mayor or the budget committee.

SECTION 13.

(a) The personnel budget for the sheriff's office shall not be decreased from that of the current fiscal year without the consent of the sheriff pursuant to Tennessee Code Annotated, Section 8-20-120.

(b) The budget for the county election commission shall conform to the requirements of Tennessee code Annotated, Sections 2-12-109 and 2-12-209.

(c) The budget committee's proposals shall conform to the requirements of Tennessee Code Annotated, title 8, chapter 20.

(d) The budget committee shall also present to the county legislative body a proposed budget appropriation resolution and proposed tax levy resolution when the proposed operating budget is presented.

(e) At the time of the submission of the proposed operating budget by the budget committee to the county legislative body, the finance director shall report to the county legislative body as to whether any portion of the proposed operating budget would likely cause either a reduction of state funds or the county receiving an amount less than what the county could otherwise be eligible to receive.

(f) The setting of a property tax rate, by adoption of a resolution by the county legislative body or by operation of law, constitutes a valid tax levy for collection purposes.

SECTION 14.

(a) Amendments to the final adopted operating budget of the county shall be made as follows:

(1) Amendments to line items and major categories that do not increase the grand total of appropriations in the original adopted budget of the county department of education shall be proposed by the Chairman of the School Board and approved by the county board of education, except for line items affecting personnel, which shall be submitted to the budget committee for its recommendation to the county legislative body for their approval. Amendments to line items and major categories that increase the total revenues or appropriations, or both, of the original adopted budget shall be approved by the county board of education and submitted by the Chairman of the School Board to the budget committee for its recommendation to the county legislative body for their approval, except as provided by Tennessee Code Annotated, Section 49-2-203(b)(15). The Chairman of the School Board shall report the amendments to the finance director within fourteen (14) days of proposing the amendments.

(2) Amendments to major categories of the budget other than the county department of education may be proposed by the county mayor, chief administrative officer of the county highway department, and the head of any other agency of the county whose budget is to be amended. The amendments to the major categories of the budget proposed under this subdivision (a)(2) shall be submitted to the budget committee for its recommendation to the county legislative body for their approval to be effective; provided, that the county legislative body may modify any amendments prior to approval, and provided, further, that the budget of the county highway department shall not be amended without the approval of the chief administrative officer of such department. If the budget committee does not act upon an amendment to a major category of the operating budget proposed by the county mayor or chief administrative officer of the county highway department by the next regularly scheduled meeting of the county legislative body or thirty (30) days, whichever comes first, after being submitted to the budget committee, then the county legislative body may consider and act upon the proposed amendment without a recommendation from the budget committee.

(3) Amendments to line items within major categories of the budgets of all agencies of the county and other organizations of the county other than the county board of education, proposed by the head of the county agency or other organization shall be subject to the approval of the county mayor, except that any amendment of line items affecting the compensation of personnel shall also have the approval of the county legislative body after receiving the recommendation of the budget committee concerning the proposed amendment. The budget committee shall make its recommendation within fourteen (14) days after receiving the proposed line item amendment affecting the compensation of personnel, and if not made within that time, the county legislative body may consider and act upon the proposed amendment. If the county mayor does not approve the amendment to the line item proposed by the head of the county agency or other organization within seven (7) days after being submitted, the proposal shall be considered by the budget committee and shall be effective if approved by the budget committee so long as the amendment does not affect compensation of personnel, whereupon approval of the county legislative body is also required. Any amendment to a line item within a major category approved by the county mayor shall be reported to the finance director and budget committee. Any amendment to a line item within a major category approved by the budget committee shall be reported to the finance director. However, any line item amendments within major categories of the budget of a county highway department may be made by the department's chief administrative officer and reported to the finance director and budget committee.

(4) The county mayor may propose line item amendments within major categories of the final operating budget other than those of the county department of education, county highway department, the county election commission, the sheriff, and the general officers listed in Tennessee Code Annotated, Section 8-24-102(a). Such proposed amendments are subject to the approval of the budget committee, and also of the county legislative body if the proposed amendment affects compensation of personnel. The budget committee shall make its recommendation within fourteen (14) days after receiving the proposed line item amendment affecting the compensation of personnel, and if not made

within that time, the county legislative body may consider and act upon the proposed amendment without the recommendation of the budget committee.

(b)

(1) Notwithstanding subsection (a), amendments shall be made to comply with any court order entered pursuant to Tennessee Code Annotated, title 8, chapter 20.

(2) All budget amendments shall be on forms developed by the finance director and approved by the budget committee.

SECTION 15.

(a) The appropriations made in the appropriation resolution, or any amendments thereto, shall constitute the limit to expenditures for the various purposes and from the several funds of the county for the fiscal year covered by the resolution, and no expenditure shall be made or obligation created in excess of that limitation.

(b) Any resolution presented to the county legislative body in any fiscal year, after the original appropriation resolution has been adopted and the property tax rate for the year has been set, which provides for an expenditure in addition to those made in the original budget appropriation, shall specifically provide the source of revenue or designate the source of funds necessary to meet expenditures to be made in consequence of the additional appropriation.

(c) The appropriations made by the county legislative body shall constitute authorization for the expenditures contained therein unless otherwise limited by the county legislative body, subject to the impoundment authority granted to the Maury County Financial Management Board, county legislative body, and county board of education pursuant to Section 16.

(d) The expenditures and encumbrances against the amounts appropriated shall be made only upon an order or authorization issued by the Budget department.

(e) No expenditures made or obligations created in any manner shall be valid or binding against the county except as provided by this chapter.

SECTION 16. If at any time the finance director determines that the revenues or other resources are, with respect to any fund, less than was anticipated in the adopted operating budget, or if unanticipated expenditures arise which will likely create a budget deficit, the finance director, upon certification to each member of the county legislative body for non-school funds and to the county board of education for school funds, may impound the appropriations as may be necessary to prevent deficit operation. The impoundment may be overridden by a majority vote of the county legislative body for non-school funds and the county board of education for school funds. If the county legislative body or county board of education overrides an impoundment, the county legislative body or the county board of education shall make those amendments to the operating budget as may be necessary to prevent deficit operation. The necessary amendments require a majority vote of the county legislative body or the county board of education. However, no impoundment of funds shall affect expenditures mandated by state statute or court order that have been appropriated to the offices as enumerated in Tennessee Code Annotated, Section 8-22-101.

SECTION 17.

(a) On or before May 1 of each year, the county mayor, chairman of the school board, and chief administrative officer of the county highway department shall submit to the finance director, on forms developed by the finance director and approved by the Maury County Financial Management Board, a five (5) year plan for capital outlays to be revised annually. The proposed capital outlays shall include estimated expenditures, a schedule for project completion or purchase of real and personal property, or both. Capital outlay for purposes of this section shall include any single purchase of a capital asset as defined in Section 4 when the total purchase price inclusive of all related expenses are expected to equal or exceed the county's capitalization threshold policy.

(b) On or before May 15 of each year, the finance director shall consolidate the details of all proposals for capital outlays noted in subsection (a) for the next fiscal year, including capital projects to be initiated during the next fiscal year and purchases requiring capital outlays during the next fiscal year. The Maury County Financial Management Board shall recommend to the budget committee a funding source and the amount of capital outlay expenditures to include in the operating budget.

(c) The Maury County Financial Management Board shall propose a revised consolidated capital outlay plan for the ensuing fiscal year at the same time that the proposed operating budget is presented to the county legislative body. This document shall be known as the "proposed capital project plan."

(d) The county legislative body shall review the proposed capital project plan presented by the Maury

County Financial Management Board. The county legislative body may alter the plan and shall annually adopt a capital projects plan. Prior to the adoption of a capital projects plan, the county board of education, through its designated representative, the chief administrative officer of the county highway department, and the county mayor have the right to address the county legislative body in regard to their respective agencies' capital project needs.

SECTION 18.

(a) The finance director shall receive from the county mayor, chairman of the school board, and chief administrative officer of the county highway department all proposals for the issuance of debt, and shall present such proposal, along with the recommendation of the finance director, to the Maury County Financial Management Board or debt management committee, if created by the county legislative body, with the following exceptions:

- (1) Tax anticipation notes;
- (2) Contracts, leases, or lease-purchase agreements that do not extend beyond the current fiscal year; and
- (3) Contracts, leases, and lease purchase agreements extending beyond the current fiscal year that constitute an obligation below the county's capitalization threshold policy.

(b)

- (1) The debt management committee shall review proposals for the issuance of debt for conformity with the adopted capital projects plan, the operating budget for the current fiscal year, and any proposed operating budget for the next fiscal year that may have been submitted by the budget committee.
- (2) Additionally, the debt management committee shall review proposals for the issuance of debt to determine whether the proposal optimizes the county's financial resources, impacts negatively upon the credit rating of the county, or whether better financing or funding proposals exist.
- (3) On or before May 1 each year, the debt management committee shall report its recommendation on all proposals on the issuance of debt to the budget committee. For proposals for the issuance of debt not received during the annual budget process, the debt management committee shall submit its recommendation to the budget committee within one (1) month from receipt of the proposal for the budget committee's recommendation to the county legislative body.
- (4) The finance director shall present for consideration by the debt management committee any form regarding the county's debt that is required to be filed with the comptroller of the treasury. The finance director shall be responsible for developing all information required by such forms. The county mayor shall not file, sign, or approve of any report regarding the county's debt that is submitted to the comptroller of the treasury without the approval of the report by the debt management committee.
- (5) The county legislative body shall not approve the issuance of any debt for which its approval is required by law until it has received the recommendation of the debt management committee, unless the debt management committee is requested by the county legislative body to make a recommendation and it fails to do so within thirty (30) days of making the request.

(c) On or before June 1 of each year, the finance director shall prepare and submit to the debt management committee a report on the current debt structure of the county, showing the amounts borrowed and date of borrowing, purpose of the borrowing, principal outstanding, interest paid, interest to be paid each year until retirement of the debt, interest rate, and source of funds for payment of principal and interest. The finance director shall make recommendations for improvements in debt management, financial soundness of the county, and whether any change in the debt structure is needed, including, but not limited to, early retirement of debt or refunding of debt. The debt management committee shall review this report of the finance director and shall report its recommendations regarding any proposed changes in debt structure to the county legislative body on or before July 1 of each year.

(d) The debt management committee shall prepare a debt management policy in compliance with statutory requirements and state funding board recommendations, to be submitted to the county legislative body for approval.

(e) The debt management committee shall ensure the finance director prepares and files all necessary reports required by the securities and exchange commission, the municipal securities rulemaking board,

and all other regulatory authorities related to the county's debt.

SECTION 19.

(a)

- (1) The finance director shall prepare a budgetary report each month showing the condition of the budget. This budgetary report shall be presented to the budget committee by the fifteenth (15th) day of the following month.
- (2) The budgetary report shall show for each line item appropriation the total expenditures for the month and the year to date, the amount of outstanding encumbrances, and the amount of the unencumbered balance.
- (3) The budgetary report shall also show for each fund an itemized statement of the revenues estimated for the year, the amount of the revenues of each item for the month and the year to date, and the unrealized portion of the estimate.

(b)

- (1) The head of each agency of the county shall be furnished copies of monthly budgetary reports for their respective agency.
- (2) The most recent of such budgetary reports shall be presented by the finance director at each regular session of the county legislative body and at any special session upon request of the chairperson of the county legislative body.
- (3) At such time, the finance director shall advise the county legislative body of the condition of the operating budget and capital outlay plan, and of any adjustment of estimated revenues or appropriations, or both, or other action which, in the finance director's opinion, the county legislative body should take in order that the financial condition of the county is not impaired.

SECTION 20. The Maury County Financial Management Board or investment committee, if created by the county legislative body, shall establish and approve policies and procedures for investing idle cash funds in various investments in accordance with Tennessee Code Annotated, Section 5-8-301. The Maury County Financial Management Board or investment committee, if created, may authorize the county trustee to perform the daily investment function.

SECTION 21.

(a) The county shall use a checking system for the disbursement of funds. The checking system shall be installed and maintained by the trustee, in concurrence with the finance director, in accordance with Tennessee Code Annotated, Section 5-8-210.

(b) All checks on county funds held by the county trustee shall be signed by the finance director and the following person or persons, whichever is applicable:

- (1) The Superintendent of schools for disbursements from school funds;

or

- (2) The county mayor for disbursements of county funds other than schools.

(c) All signatures required on county checks may be executed by methods other than personal signature if such methods are approved by the person authorized to sign the Maury County Financial Management Board, and the comptroller of the treasury.

(d) Checks shall be prepared by the finance department and provided to the other officers as appropriate for signing and returned to the finance department for co-signature of the finance director. The finance department shall mail or cause to be delivered all checks drawn upon county funds held by the county trustee. The finance director may cause checks to be signed or delivered, or both, by electronic means, or funds electronically transferred from county bank accounts, upon approval of the Maury county Financial Management Board and the comptroller of the treasury.

(e) Subject to the availability of funds, the finance director shall not refuse to sign checks presented for his or her signature if proper appropriation of funds and documentation for the disbursement has been made in accordance with this chapter.

(f) A copy of checks signed by the appropriate officers pursuant to subsection (b) shall be kept by the officers in any format authorized by law and approved by the Maury County Financial Management Board. The finance department shall maintain a copy of all checks issued.

(g) The finance department shall maintain a record of all requisitions for disbursements and invoices

correlated to the checks or electronic transfers carrying out the requisition or paying for the goods or services received as described on the invoice.

(h) The copies of checks and other records of the finance department shall be retained in accordance with retention schedules authorized by Tennessee Code Annotated, Section 10-7-404.

SECTION 22.

(a) Checks to disburse funds may not be written and transfers of funds may not be made by electronic means until the finance director or his or her designated employee has reviewed the requisition, invoice, receiving documentation, or other document indicating a disbursement of county funds should be made. This review function shall be known as "pre-audit." A pre-audit approval for disbursement of funds shall not be made unless the documentation supporting a disbursement of funds appears to be correct, properly authorized, and not exceeding the unencumbered balance of the appropriations against which they are chargeable. Pre-audit approval for disbursement of funds shall be made by signature of the finance director or designated employee of the finance department in a timely manner to prevent work stoppage or postponement of services and in a format developed by the finance director and approved by the Maury County Financial Management Board.

(b) Disbursements of county funds shall be made as follows:

- (1) Payroll disbursements shall be based upon documentation furnished to the finance department and certified by all heads of all agencies (including employees of the schools) of the county for themselves and their employees establishing the employment relationship and all relevant information required by the finance director to determine proper payment, withholding of income for taxes and other purposes, benefits, leave status, or other information relevant to the county's financial relationship to the employee;
- (2) Disbursements for personal property received by the county shall be based upon invoices showing receipt of personal property properly requisitioned and purchased pursuant to a properly issued purchase order or report of an emergency purchase approved by the purchasing agent;
- (3) Disbursements for services rendered to the county shall be based upon invoices documenting services performed and approved by the head of the agency of the county receiving the service;
- (4) Disbursements pursuant to a contract or agreement shall be based upon documentation from the head of the county agency responsible for the county's obligation;
- (5) Disbursements based upon a court order or settlement of a lawsuit shall be based upon the written directive of the county attorney or the attorney representing the county board of education;
- (6) Disbursements for the purchase or condemnation of real property shall be based upon the written directive of the Chairman of the School Board for school property, the chief administrative officer of the county highway department for highway property obtained with highway funds, and the county mayor for all other real property;
- (7) Disbursements of appropriations to nonprofit organizations approved through the budgetary process shall be based upon the written directive of the county mayor; and
- (8) Disbursements other than those noted above shall be based upon the written directive of the county mayor.

(c) Heads of all agencies of the county and employees of the county shall furnish to the finance director or the finance director's designated employee all requested information in a timely manner so as to ensure the proper and timely disbursement of county funds.

SECTION 23.

(a)

- (1) Policies and procedures for purchasing for the county shall be established by the Maury County Financial Management Board or purchasing committee, if created by the county legislative body, upon receiving the recommendations of the purchasing agent. The policies and procedures for purchasing shall be made available for the use of all officers and employees of the county involved with purchasing. The purchasing committee shall establish a system whereby heads of all agencies of the county or their designees requisition real and personal property or services and provide estimates of cost. Such requisitions shall be reviewed by the purchasing agent or the purchasing agent's designee

and if the requisition appears to be correct, properly authorized, and the cost will not exceed the unencumbered balance of the appropriation against which the cost of the requisition is chargeable, then the purchasing agent shall determine the proper method of obtaining the property or services, and issue purchase orders as appropriate according to this chapter and the policies and procedures of the purchasing committee. Heads of all agencies of the county may specify employees who are authorized to make requisitions, and any limitations upon their authority to act, upon written notification to the purchasing agent. Requisitions for a contract, lease, or lease-purchase extending beyond the current fiscal year that would constitute an obligation in excess of an amount to be determined by the purchasing committee shall be forwarded by the purchasing agent to the debt management committee and approved by the debt management committee prior to any further approval of the requisition.

(2) The policies and procedures for purchasing for the county established by the purchasing committee shall include the use of any type of purchasing or credit card and an approval process for purchases of real property, personal property, and services, including those by lease, lease-purchase, or contract that extend beyond one (1) year or commit the county to expenditures in excess of an amount as determined by the purchasing committee. The purchasing committee shall establish policies requiring approval of such purchases by either the purchasing agent, purchasing committee, or county legislative body, or any combination thereof. The policies and procedures developed by the purchasing committee pursuant to this subdivision to determine the approval process for the particular type or amount of purchase shall be subject to approval by the county legislative body.

(b) Requisitions shall include specifications when necessary as determined by the purchasing agent. Specification development and stipulation shall be made by the county agency to receive the personal property or services requisitioned. However, the purchasing agent may reject any specification that the purchasing agent deems inadequate. The purchasing agent shall assist the agency of the county as needed to develop proper specifications for requisitions. Specifications shall not be written to exclude specific vendors, contractors or service providers, or to limit the bidding to a specific vendor, contractor, or service provider.

(c) Except as otherwise provided in this chapter or by other applicable general law not in conflict with this chapter, purchases shall be based upon competitive bidding. The purchasing committee, after receiving the recommendations of the purchasing agent, shall establish the dollar amounts and types of purchases for which a formal competitive bidding process is required, the dollar amounts and types of purchases for which an informal bidding process is required or not required, and the exceptions to competitive bidding requirements; provided, that the dollar amounts established for formal competitive bidding shall not exceed the amounts otherwise applicable in general law. In addition to competitive bidding, the purchasing committee may establish the types of purchases and other circumstances under which requests for proposals (RFPs), requests for qualifications (RFQs), and other procurement methods are appropriate and allowable. The purchasing committee may also establish guidelines not in conflict with applicable general law for purchases at public auction and using the Internet. Exceptions to competitive bidding may include, but are not limited to, sole source purchases, perishable commodities, and emergency purchases. In counties operating under the County Uniform Highway Law, compiled in Tennessee Code Annotated, title 54, chapter 7, and Tennessee Code Annotated, Section 54-7-113(c), regarding exceptions to public advertisement and competitive bidding requirements shall apply to purchases for the county highway department.

(d) All purchases competitively bid shall be awarded to the lowest responsible and responsive bidder, taking into consideration the quality of the personal property or services to be supplied, their conformity with specifications, their suitability to the requirements of the county and the delivery terms, and such other considerations as the purchasing agent deems appropriate and in conformity with any guidelines established by the purchasing committee. Any and all bids may be rejected for reasonable cause by the purchasing agent.

(e) The purchasing committee shall establish criteria for when purchase awards shall be made by the purchasing agent alone and when awards shall be made by the purchasing agent after receiving approval from the purchasing committee.

(f)

(1) The purchasing agent may authorize any agency of the county to purchase in the open market, without filing a requisition, any personal property necessary for immediate delivery or services for immediate employment, in actual emergencies. Such direct

emergency purchases may only be made by heads of agencies of the county within the authorization granted by the purchasing agent and when the purchasing agent is not available to make the purchase. At all other times, only the purchasing agent or the purchasing agent's designee shall make purchases. A report of an emergency purchase shall be made by the head of an agency of the county or the agency head's designee describing the circumstances of the emergency, the personal property or services purchased, and the amounts to be charged against the operating budget of the agency. Such emergency purchase report shall be submitted to the purchasing agent as soon as is reasonably possible following the date of such purchase by the head of the county agency concerned and such report shall be provided by the purchasing agent to the purchasing committee.

(2) The purchasing agent in authorizing deviations from the competitive bidding requirements in emergencies shall not include conditions arising from neglect or indifference in anticipating normal needs. Emergency purchases shall be limited to needs arising which are not normally foreseeable.

(g) The county shall not be liable for the payment of any purchase not made according to the provisions of this chapter unless specifically approved by the purchasing committee.

(h) The purchasing committee may:

(1) Prescribe the manner in which personal property may be delivered, stored, and distributed;

(2) Prescribe the dates for submitting requisitions and estimates, the future period they are to cover, the form in which they are to be submitted, the manner of their authentication, and their revision by the county purchasing agent;

(3) Prescribe the manner of inspecting all deliveries of personal property and of making or procuring chemical and physical tests of samples submitted with bids and samples of deliveries to determine compliance with specifications;

(4) Require periodic and special reports by county agencies of inventories, stocks of surplus, unusable or obsolete personal property, and prescribe the form of such reports;

(5) Determine whether a deposit or bond is to be submitted with a bid on a purchase or sale, and if required, prescribe the amount and form of the deposit or bond, and provide for the forfeiture of the deposit or bond if the successful bidder refuses to enter into the contract and to determine the time for such forfeiture after the award of the bid. Such determination shall not conflict with existing state statutes for construction contracts;

(6) Prescribe the manner in which invoices for personal property and contractual services delivered to any of the agencies of the county shall be submitted, examined, and approved by the purchasing agent; and

(7) Provide for all other matters as may be necessary to give effect to the duties of the purchasing committee and purchasing agent.

(i) The purchasing committee shall establish policies, subject to the approval of the county legislative body, for the disposal or transfer of surplus, obsolete, or unusable personal property. These policies may provide for the transfer to or between county agencies of personal property on hand which are surplus with one (1) county agency, but which may be needed by others. However, a head of a county agency shall not be required to transfer any item of personal property in his or her custody without his or her consent except in actual emergency or disaster.

(f) The county mayor or any department head or officer of the county having custody of real property, excluding real property titled to the county board of education may request that the real property over which the mayor, department head, or officer has custody be declared surplus and be sold or transferred from the ownership or possession of the county or the custody of the mayor, department head, or officer. Any request shall be made to the Maury County Financial Management Board or purchasing committee, if created. The Maury County Financial Management Board or purchasing committee, if created, shall make recommendations to the county legislative body regarding whether the real property requested to be declared surplus should be kept, its use changed, sold, or otherwise disposed of, and shall make a recommendation as to the proper use or disposition of the property to the county legislative body, which shall make the final determination as to the use and disposition of all county real property not titled to or leased by the county board of education. The board of education shall make the final determination as to the use and disposition of all real property titled to the board of education.

SECTION 24. The purchasing agent shall:

- (1) Develop requisition forms to be used by the various agencies of the county, subject to approval by the purchasing committee;
- (2) Review requisitions, including specifications in accordance with Section 23;
- (3) Conduct formal and informal bid solicitations in accordance with the provisions of this chapter;
- (4) Make a record of all informal bids solicited, all informal bids received, and the successful bid and bidder, including the time of each such action;
- (5) Collect sealed bids;
- (6) Open formal sealed bids in public according to a procedure established by the purchasing committee;
- (7) Evaluate and compare bids and award purchases designated by the purchasing committee to be awarded by the purchasing agent;
- (8) Evaluate and compare bids and recommend to the purchasing committee the lowest responsible and responsive bidder regarding purchases to be awarded by the purchasing committee;
- (9) Issue purchase orders when appropriate;
- (10) Prepare contracts, leases, and lease-purchase agreements. The purchasing agent shall prepare contracts, leases, and lease-purchase agreements with the aid of the county attorney if such office or position is established, or with the aid of an attorney employed or retained by the county mayor or board of education, when required by regulation of the purchasing committee;
- (11) Verify receipt documentation is on file for all personal property or service;
- (12) Perform duties regarding the transfer or disposition of surplus, obsolete, and unusable personal property as directed by the purchasing committee;
- (13) Ensure that capital projects that have been approved in the capital projects budget and operating budget and funded according to law shall be competitively bid by the purchasing agent according to the requirements approved in the capital projects budget and operating budget; and
- (14) Perform such other duties as may be prescribed by the purchasing committee.

SECTION 25.

(a) In addition to the approval process established by the purchasing committee, contracts, leases, and lease-purchase agreements shall be approved by the county attorney, if such office or position is established, or by an attorney employed or retained by the county mayor or board of education, prior to execution when the dollar amounts involved exceeds an amount determined by the purchasing committee to assure compliance with law and proper form.

(b)

(1) Contracts, leases, and lease-purchase agreements shall be executed by the purchasing agent and one (1) or more of the following: the Chairman of the school Board for all obligations against school funds, by the chief administrative officer of the county highway department for all obligations against highway funds, and the county mayor in all other circumstances, and additionally by other county officers when required by law, and by the finance director for approval of expenditure of funds.

(2) This subsection (b) shall not apply to agreements between the county highway department and the department of transportation pursuant to Tennessee Code Annotated, Section 54-7-116.

SECTION 26. No later than six (6) months following the date a resolution is adopted to implement this chapter, the county clerk shall file a copy of the resolution, together with an implementation plan developed by the finance director and approved by the Maury County Financial Management Board, with the comptroller of the treasury. This county financial management plan implementation shall begin July 1 of the next fiscal year and shall be fully implemented within such county no later than two (2) years from the date the implementation of the plan began.

SECTION 27. Upon this chapter becoming effective in Maury County, TN, this chapter shall supersede all other general law and the provisions of any other private act in conflict with this chapter in this county, including any other private acts, or amendments thereto, adopted by the county legislative body of such county before or after the date this chapter become effective in this county.

SECTION 28. If any provision of this act or the application of it to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of this act that 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 29. This act shall have no effect unless it is approved by a two-thirds (2/3) vote of the legislative body of Maury County. Its approval or nonapproval shall be proclaimed by the presiding officer of such legislative body and certified to the secretary of state.

SECTION 30. 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 29.

Passed: April 25, 2018

Human Resources

Private Acts of 2004 Chapter 91

SECTION 1. This act shall be known and may be cited as the "2003 Human Resources Law".

SECTION 2. There is hereby created a human resources department under the oversight of the county legislative body. The department shall perform the duties and responsibilities set out herein for all departments of Maury County government except for the board of education.

SECTION 3. The human resources department will operate for the purposes of oversight under the direction of the administrative committee of the Maury County legislative body, unless another committee is designated by rules of the county legislative body adopted by vote of the membership. All policies and procedures otherwise adopted for county departments will apply to the human resources department unless specific exclusion is made by the county legislative body.

SECTION 4. The designated oversight committee is hereby authorized to establish and approve policies, procedures, and regulations in addition to the specific provisions of this act, for implementing a sound and proficient system for administering matters related to human resources of the county.

SECTION 5. Upon adoption of this act, there shall be one (1) department established for human resources management of all departments of the county general operations and highway department, except as the public laws or other private acts of Maury County provide otherwise or are in conflict herewith. This department shall be known as the human resources department.

All employees performing functions related to human resources shall be under the supervision of the human resources director and such salaries, benefits, and expenses related to said personnel shall be budgeted under the human resources department.

SECTION 6. The designated oversight committee shall have authority to appoint or dismiss upon thirty (30) days' notice, subject to the approval of the county legislative body, a human resources director. The director shall be responsible to the oversight committee in all matters relative to the director's position. The person hired for this position shall be qualified by training and experience in the field of human resources to perform the duties in a proficient manner and in accordance with recognized industry standards. The person holding the position of human resources director at the date of adoption of this act shall continue such employment under the provisions of this act. The compensation of the human resources director shall be included in the annual budget recommendations by the budget, finance and investment committee subject to the approval of the county legislative body's budget appropriation.

SECTION 7. The human resources director shall install and maintain a human resources management system in accordance with applicable law and regulations, restrictions of this private act and other acts of Maury County, and such policies and regulations of the county legislative body. The director shall be responsible for policies and assist other county officials and department heads in matters related to human resources and benefits. More specific responsibilities shall be outlined in the job description approved by the oversight committee and the county legislative body. The director shall assist other county officials and department heads in matters related to human resources and benefits. The director shall approve and advise the budget office of payroll and benefit changes.

As amended by: Private Acts of 2007, Chapter 48

SECTION 8. This act shall have no effect unless it is approved by a two-thirds (2/3) vote of the legislative body of Maury County. Its approval or nonapproval shall be proclaimed by the presiding officer of the legislative body and certified to the secretary of state.

SECTION 9. 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 8.

Passed: March 11, 2004.

Administration - Historical Notes

Budget System

The following acts once created a budgeting system for Maury County, but they have been specifically repealed or superseded by current law. Also referenced below is an act which repeals prior law without providing new substantive provisions.

1. Private Acts of 1937, Chapter 91, established a budget system for Maury County. Under the system the County Judge would submit a general fund and bond budget, the Superintendent of Education a school budget, the Superintendent of Roads a road budget, and the Trustee would prepare a statement showing expected revenues for county taxes. The Quarterly Court would appoint a Budget Commission of three persons, one from Columbia, one from outside Columbia, and one a member of the Quarterly County Court with the duty of preparing unified budget to submit to the Quarterly County Court for approval. It was a misdemeanor under the act to violate the authorized budget amounts of a department or a fund, or to violate any provision of the act or for any official to fail or refuse to perform any duties imposed on the official by the act. The act was passed in January 1937, and promptly repealed in May, 1937.
2. Private Acts of 1937, Chapter 545, repealed Private Acts of 1937, Chapter 91.
3. Private Acts of 1955, Chapter 242, established the office of Director of Accounts and Budgets for Maury County. The Director would be elected by the Quarterly County Court for a term of two years. The duty of the Director was to establish and maintain a system of fiscal procedure, control, and centralized accounting in accordance with the guidelines in the act for the purpose of preparing a proper budget and controlling county finances. The act was not approved by local authorities and did not become effective.
4. Private Acts of 1955, Chapter 243, established a system of budgeting with procedures for the preparation, adoption, and execution of all budgets for all departments, activities, and funds of the County. The act created the Budget Committee composed of five members, one of whom was to be the Director of Accounts and Budgets. The Budget Committee was to compile the various reports required by the act of county officials, hold hearings on proposed budgets and submit bond budget proposals to the Quarterly County Court. This act was not approved by local authorities and did not become effective.

County Attorney

The following acts once created a budgeting system for Maury County, but they have been specifically repealed or superseded by current law. Also referenced below is an act which repeals prior law without providing new substantive provisions.

1. Private Acts of 1937, Chapter 91, established a budget system for Maury County. Under the system the County Judge would submit a general fund and bond budget, the Superintendent of Education a school budget, the Superintendent of Roads a road budget, and the Trustee would prepare a statement showing expected revenues for county taxes. The Quarterly Court would appoint a Budget Commission of three persons, one from Columbia, one from outside Columbia, and one a member of the Quarterly County Court with the duty of preparing unified budget to submit to the Quarterly County Court for approval. It was a misdemeanor under the act to violate the authorized budget amounts of a department or a fund, or to violate any provision of the act or for any official to fail or refuse to perform any duties imposed on the official by the act. The act was passed in January 1937, and promptly repealed in May, 1937.
2. Private Acts of 1937, Chapter 545, repealed Private Acts of 1937, Chapter 91.
3. Private Acts of 1955, Chapter 242, established the office of Director of Accounts and Budgets for Maury County. The Director would be elected by the Quarterly County Court for a term of two years. The duty of the Director was to establish and maintain a system of fiscal procedure, control, and centralized accounting in accordance with the guidelines in the act for the purpose of preparing a proper budget and controlling county finances. The act was not approved by local authorities and did not become effective.
4. Private Acts of 1955, Chapter 243, established a system of budgeting with procedures for the preparation, adoption, and execution of all budgets for all departments, activities, and funds of the County. The act created the Budget Committee composed of five members, one of whom was to be the Director of Accounts and Budgets. The Budget Committee was to compile the various reports required by the act of county officials, hold hearings on proposed budgets and submit

bond budget proposals to the Quarterly County Court. This act was not approved by local authorities and did not become effective.\

County Clerk

The following acts once affected the office of county clerk in Maury County. They are included herein for historical purposes.

1. Acts of 1813, Chapter 133, required the Navigation Commissioners to execute a \$3,000 bond and deposit it for safe keeping with the County Court Clerk.
2. Private Acts of 1933, Chapter 492, declared that the County Court Clerk of Maury County shall not receive more than \$3,000 per year in compensation.

County Legislative Body

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

1. Acts of 1807, Chapter 98, created the County of Maury and authorized the acting Justices of the Peace to levy a tax to pay for the construction of the public buildings including a courthouse. It further provided that the Court of Pleas and Quarter Sessions be held on the third Monday in December, March, June, and September and that the first court should be held at the home of Joseph Brown near Lytle's Creek.
2. Acts of 1815, Chapter 137, authorized the Justices of the Peace in Rutherford, Maury, and Grainger Counties to hold the Court of Pleas and Quarter Sessions for two weeks, if the Justices deem it necessary because it was impractical to complete the business of the court in the time then allowed by law.
3. Acts of 1817, Chapter 138, provided that the court terms of the County Court would begin on the third Monday in January, April, July, and October, and would be held for two weeks unless the business of the court were sooner finished.
4. Private Acts of 1826, Chapter 78, authorized the Court of Pleas and Quarter Sessions of the Counties of Maury, Lawrence, Sumner, Williamson, and Madison, to appoint three of their respective members to hold Quorum Courts during the entire year with the same powers and jurisdiction as the Court possessed when sitting as a body.
5. Public Acts of 1829, Chapter 25, authorized the county courts of all the counties to appoint a Quorum Court to hold court during the year. Section 3 of the act fixed the dates for the beginning of the county court terms in Maury County as the second Monday in March, June, September, and December.
6. Acts of 1837-38, Chapter 263, authorized the County Court of Maury County to appoint an Entry-Taker for the County who could, in the discretion of the court, reside in a place other than the county seat. The Court was further permitted to pay for a general plan of the County.
7. Acts of 1845-46, Chapter 171, permitted the citizens of Williamsport in Maury County to elect an additional Justice of the Peace for their convenience and benefit.
8. Public Acts of 1871, Chapter 89, allowed the residents of Mount Pleasant to elect an additional Justice of the Peace for their town.
9. Private Acts of 1911, Chapter 7, set the time for beginning the terms of the Quarterly County Court as the second Monday in January, April, July, and October.
10. Private Acts of 1919, Chapter 191, allowed each Justice of the Peace a per diem of \$3 while actually attending the Quarterly County Court plus five cents per mile actually traveled between the residence of the Justice and the Court.
11. Private Acts of 1921, Chapter 563, fixes the per diem payments of Justices of the Peace at \$5 while attending the sessions of the Quarterly County Court plus five cents per mile for each mile traveled between their residences and the County seat upon any session of the Court.
12. Private Acts of 1927, Chapter 96, amended Private Acts of 1921, Chapter 563, by raising the per diem payments for Justices to \$10 per day.
13. Private Acts of 1933, Chapter 493, amended Private Acts of 1927, Chapter 96, by reducing the per diem payments of Justices of the Peace from \$10 to \$6.
14. Private Acts of 1935, Chapter 499, empowered the Maury County Court with concurrent jurisdiction with the Chancery Court in all cases instituted for the sale of property, or the disposition of the funds of infants, lunatics, or other persons under a disability.
15. Private Acts of 1939, Chapter 89, repealed Private Acts of 1933, Chapter 493.

16. Private Acts of 1961, Chapter 338, set a per diem of \$20 and a mileage allowance of five cents per mile for all Justices while attending Quarterly County Court, and set a per diem of \$5 for committee members attending committee meeting. This act was not approved by local authorities and did not become law.

County Mayor

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

1. Acts of 1855-56, Chapter 253, created the office of County Judge in every county in the state to be elected by the people for four year terms. The County Judge was to be learned in the law and sworn and commissioned as were other Judges. Quorum Courts were abolished and all the duties of that Court were assigned to the County Judge who would preside over the sessions of the Quarterly Court. The jurisdiction of the County Court was specifically outlined in the Act. The County Judge would be the accounting officer and general agent of the County, discharging the duties enumerated in this law.
2. Public Acts of 1857-58, Chapter 5, repealed Acts of 1855-56, Chapter 253 in its entirety and restored all Quorum Courts to their former status.
3. Public Acts of 1899, Chapter 265, created the office of county judge to be elected by the people for a term of eight years.
4. Private Acts of 1927, Chapter 308, in addition to amending Public Acts of 1899, Chapter 265, as stated above, provided that the County Judge could sit in interchange with circuit and criminal court judges and with chancellors under the conditions and requirements imposed by then current law for interchange among judges.
5. Private Acts of 1927, Chapter 653, authorized the county judge to employ a clerk for his office.
6. Private Acts of 1927, Chapter 699, provided that the County Judge of Maury County would be paid \$1,200 annually as compensation as County Financial Agent and Accounting Officer.
7. Private Acts of 1927, Chapter 700, was identical to Private Acts of 1927, Chapter 653, set forth above in its entirety. The act was assigned House Bill Number 1206 and was passed two days after House Bill Number 813, which was Chapter 653 and considered the operative law for the purposes of amendment. Private Acts of 1969, Chapter 34, repealed Chapter 700 and rectified the situation created by two identical acts being in existence.
8. Private Acts of 1933, Chapter 522, amended Private Acts of 1927, Chapter 699, by changing the annual compensation that was paid the County Judge as County Financial Agent and Accounting officer from \$1,200 to \$600.
9. Private Acts of 1933, Chapter 96, repealed Private Acts of 1933, Chapter 522.
10. Private Acts of 1945, Chapter 333, a general law authorizing quarterly county courts to appropriate money for the retirement of county judges who held office consecutively for 20 years and attained the age of 70. The amount could not to exceed \$3,000 per annum, in equal monthly installments, for the remainder of his life.
11. Private Acts of 1949, Chapter 447, a general law appointing county judges as custodians of the courthouse.
12. Private Acts of 1955, Chapter 208, amended Private Acts of 1941, Chapter 364, which amends Public Acts of 1899, Chapter 265, so that the total compensation of the County Judge would be set at \$6,600 per year. The act was not approved by local authorities and did not become effective.
13. Private Acts of 1961, Chapter 187, authorized the county judge to employ an assistant clerk for his office.
14. Private Acts of 1969, Chapter 34, in addition to amending Private Acts of 1927, Chapter 653, by setting the salary of the Clerk of the County Judge, repealed as a housekeeping measure, the following acts: Private Acts of 1927, Chapter 700, Private Acts of 1943, Chapter 116, Private Acts of 1945, Chapter 38, Private Acts of 1949, Chapter 344, Private Acts of 1957, Chapter 232, and Private Acts of 1963, Chapter 275.

County Register

The following acts once affected the office of county register in Maury County, but are no longer operative. Also referenced below is an act which repeals prior law without providing new substantive provisions.

1. Private Acts of 1831, Chapter 15, made it lawful for William K. Hill, Register of Maury County, to keep his office upon his own lot adjoining the Town of Columbia.
2. Public Acts of 1868-69, Chapter 31, repealed the act creating Lewis County from parts of Maury, Hickman, Lawrence, Wayne, and Perry Counties. The act directed that the books of the Register of Lewis County be deposited with the Register of Maury County for safekeeping and copying. It allowed the Register of Maury County to charge the same fee for copying as he charged for copies from his own books.
3. Public Acts of 1869-70, Chapter 30, repealed the sections of Private Acts of 1868-60, Chapter 31, above, pertaining to the Register and re-established the County of Lewis. All records were to be returned to the officials of Lewis County.
4. Private Acts of 1933, Chapter 491, declared that the Register of Maury County would not be entitled to receive more than \$2,500 annually as compensation for his services.

County Trustee

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

1. Private Acts of 1923, Chapter 671, authorized the Quarterly County Court of Maury County to appropriate a sum, which in its judgement would be right, to compensate the County Trustee for negotiating the sale of \$75,000 worth of highway bonds authorized by Private Acts of 1919, Chapter 175.
2. Private Acts of 1929, Chapter 788, allowed the County Trustee an alternative to the filing of bonds required by general law of county trustees, that is, the Trustee could execute a bond in an amount equal to one-fourth of all taxes and revenues due the State and County and handled by the Trustee. If the Trustee chose this alternative, the County would pay the bond premium.
3. Private Acts of 1933, Chapter 495, declared that the Trustee of Maury County shall not be entitled to receive more than \$3,000 as compensation for his services during any one year of his term.
4. Private Acts of 1933, Chapter 584, provided that all bonds required of the County Trustee of Maury County were not to exceed \$100,000, and that all such bonds must be made with an approved surety company. The County would pay all premiums.

Purchasing

The following act once affected the purchasing procedures of Maury County, but is no longer operative.

1. Private Acts of 1955, Chapter 244, created the office of County Purchasing Agent in Maury County, provided for his election and removal from office, established a County Purchasing Commission with certain powers and duties, and promulgated standards and procedures for the purchasing of all articles by every department of the county government except Maury County Hospital. The act was not approved by local authorities and did not become law.

General References

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

1. Acts of 1811, Chapter 44, required the County Courts of Maury and Giles Counties each to elect a surveyor to survey the land within the county boundaries. The surveyor so elected would be required to enter into a \$10,000 performance bond.
2. Acts of 1813, Chapter 133, appointed two sets of Commissioners of the Duck River Navigation. Alexander Gray and Garrett Lane of Hickman County and Robert Hill, William Cathay, William Stockard of Maury County composed the first set of Commissioners and were responsible for navigation improvement from Gordon's Ferry to the mouth of the Duck River. They were to collect from the Town of Columbia \$1,050 to be expended in their efforts. The second set of Commissioners was composed of Jonathan Webster, Isaac Roberts, and Samuel Smith who were responsible for that portion of the river from Gordon's Ferry to the Bedford County Line. Columbia was required to pay them \$1,000. The Commissioners were to report annually to the Maury County Court and account for their expenditures and activities.
3. Private Acts of 1822, Chapter 213, authorized the County Court of Maury County to pay compensation for services rendered to the members of the Board of Commissioners responsible for building the bridge over Duck River in Columbia. The Board had been established by Private Acts of 1819, Chapter 103.
4. Private Acts of 1823, Chapter 139, amended Private Acts of 1819, Chapter 103, which authorized the building of a bridge over Duck River in Columbia, by empowering the County Court of Maury

County to fix and collect a toll for use of the said bridge, such toll not to exceed the ferriage previously paid at the ferry. Residents of Maury County were exempt from paying the toll. The County Court was to appoint a gatekeeper and was to keep the ford above the bridge in good repair for use by those persons not desiring to pay the toll.

5. Private Acts of 1827, Chapter 58, named several people to be managers of a lottery to raise \$20,000 to improve navigation on the Duck River. The managers were to execute a \$100,000 bond with the chairman of the County Court.
6. Public Acts of 1831, Chapter 45, directed that Maury County's share of the State Internal Improvement Fund be paid over to the County Trustee of Maury County, the money to be used for the common school fund or for internal improvements in the County.
7. Private Acts of 1832, Chapter 24, permitted John Brown, the Surveyor-General of the 8th District to keep his office at any place within one-quarter of a mile of the seat of justice of Maury County.
8. Private Acts of 1835-36, Chapter 48, abolished the offices of surveyor south and west of the congressional Reservation line. The Surveyor of the 8th District was to turn over his records to the Entry Taker of Maury County.
9. Acts of 1837-38, Chapter 119, provided that the Entry-Taker's office for that area of Maury County lying south and west of the Congressional Reservation line would be attached to and made a part of the county surveyor's office who would do the job and receive the fees of the Entry-Taker. Further, it provided that the surveyor's office could be kept at Mount Pleasant or other convenient place in the County, that he could appoint deputies, and that the former surveyor of the Surveyor's District must hand over all books and papers incidental to that office to the county surveyor.
10. Acts of 1843-44, Chapter 197, stated that no person in default to the state treasury at the time of his election to any office of trust or profit would be eligible for that office and his election would be void; provided, however, that the County Court of Maury County may compromise with Nimrod Porter and his securities for county taxes due the county from him. The money obtained would be applied to the building of a new courthouse.
11. Acts of 1849-50, Chapter 159, incorporated the Maury County Astronomical Society which had the following named incorporators: Franklin G. Smith, Edmund Dillahunt, Andrew J. Polk, James H. Otey, Gideon J. Pillow, William E. Kennedy, Abraham J. Looney, Roger B. Mays, Baxter H. Ragsdale, Joseph H. Crawford, Isaac N. Bills, James O. Griffith, Oliver H. Bennett, Madison S. Frierson and John B. Hamilton. The Society was formed for the purpose of making original observations in astronomy.
12. Acts of 1855-56, Chapter 11, authorized the incorporation of Thomas J. Kelly, James Andrews, Nathan Vaught, William J. Dale, John B. Hamilton, Andrew J. McCord, and John B. Padgett as the Maury County Building Association with the stated object that the working men of Maury County become their own landlords and own real estate rather than be renters of real estate.
13. Acts of 1855-56, Chapter 244, constituted and incorporated the Duck River Valley Railroad Company for the purpose of constructing a railroad Company from Shelbyville to run on the north side of Duck River to a point intersecting with the Tennessee and Alabama Railroad in Maury County. With voter approval, the County Court of Maury County was permitted to subscribe to and take stock in the company. The act also authorized the state to endorse and guarantee a bond issue of up to \$200,000 by the Tennessee and Alabama Railroad Company upon the condition that the company make Columbia in Maury County a point on the railroad. The condition would not apply if the citizens of Maury County did not subscribe to enough stock in the company to pay for the local work necessary to bring the railroad to Columbia from Spring Hill, the bridge across Duck River excepted.
14. Acts of 1909, Chapter 247, amended Acts of 1907, Chapter 68, a general law relating to livestock inspection. In Maury County, the Quarterly County Court was required to select a competent person to be called the County Live Stock Inspector who would serve terms of two years at a salary of \$50 per month.
15. Private Acts of 1911, Chapter 414, set forth the form for the corporate charter of a company in Maury County which would supply water, gas, and electric power and be under one management and operated under one charter in the cities and towns of the County. The company would have the right of eminent domain and would be restricted to cities and towns that consent by ordinance to its beginning operation and it would not be able to purchase or acquire utilities already in existence.
16. Private Acts of 1913, Chapter 199, amended Acts of 1909, Chapter 247 by making the election of

- the Live Stock Inspector permissive instead of mandatory.
17. Private Acts of 1915, Chapter 320, further amended Acts of 1909, Chapter 247 by bringing the Live Stock Inspector under the regulations of the State Live Stock Inspector, raising the salary of the office to \$75 per month, and reducing the term of office to one year.
 18. Private Acts of 1929, Chapter 117, ratified the prior proceedings of the Maury County Quarterly Court in which it issued a warrant for \$1,250 to aid in purchasing the James K. Polk Memorial Home, title to which would vest in the State of Tennessee, and declared such proceedings valid as though the Court had been authorized to so act.
 19. Private Acts of 1933, Chapter 244, removed the disability of Albert Gray Lineberger of Columbia to practice pharmacy and authorized him to practice as though duly licensed by the State Board of Pharmacy Examiners.
 20. Private Acts of 1933, Chapter 245, removed the disability of infancy from Grace Wavelyn Jackson, daughter of W. H. and Aline O. Jackson, of Columbia, to enable her to take the bar examination and to practice law or engage in any profession or vocation and to perform all things she could lawfully do if she were twenty-one years of age.
 21. . Private Acts of 1933, Chapter 353, removes the disability of Floyd Walters of Columbia to practice pharmacy. He had met the requirements of working under a registered pharmacist but his application for a license had been misplaced and never acted upon. This act would permit him to practice just as if he had passed the examination.
 22. Private Acts of 1935, Chapter 353, removed the disability of minority from Gertrude B. Fields of Maury County.
 23. Private Acts of 1935, Chapter 513, removed the disability of minority from Luther B. Stockard of Maury County.
 24. Private Acts of 1961, Chapter 169, authorized the Quarterly County Court to appropriate money to indemnify any person who had suffered a loss of funds due to the misappropriation of funds by any duly elected county official or employee to the extent the loss was not covered by an official bond. This act was not approved by the local authorities and did not become law.

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