

NORTH CAROLINA GENERAL ASSEMBLY  
1969 SESSION

CHAPTER 628  
SENATE BILL 446

AN ACT TO CREATE THE LITTLETON-LAKE GASTON SCHOOL DISTRICT, TO  
PROVIDE FOR THE ADMINISTRATION OF THE PUBLIC SCHOOLS IN SAID  
DISTRICT, AND TO LEVY A SPECIAL TAX FOR THE PUBLIC SCHOOLS OF  
SAID DISTRICT.

The General Assembly of North Carolina do enact:

**Section 1.** As used in this Act, unless the context shows otherwise, certain terms are defined as follows:

(a) The term "Administrative Unit" means the area or territory lying within and embraced within the boundaries hereinafter set forth and described.

(b) The term "School District" means the Littleton-Lake Gaston School District established by this Act to operate and administer the Public Schools in the area or territory hereinafter described and which in this Act is referred to as "Administrative Unit", and which consists of the members hereinafter named and appointed.

(c) The term "Halifax Commissioners" shall mean the Board of County Commissioners of Halifax County.

(d) The term "Warren Commissioners" shall mean the Board of County Commissioners of Warren County.

(e) The term "Halifax Board" shall mean the Board of Education of Halifax County.

(f) The term "Warren Board" shall mean the Board of Education of Warren County.

**Sec. 2.** The Administrative Unit to which this Act is applicable is described as follows:

"BEGINNING in the line dividing Brunswick County, Virginia, and Roanoke Township, Warren County, North Carolina, in the center of the Roanoke River at a corner for Roanoke and Sixpound Townships of Warren County; thence in an Easterly direction along the Roanoke River and along the line dividing Roanoke and Sixpound Townships to a point where said Roanoke River is intersected by the center line of Hubquarter Creek at a corner for River and Sixpound Townships of Warren County; thence in a southerly direction along the line dividing River and Sixpound Townships and along the center lines of Hubquarter Creek, Little Hubquarter Creek and the run leading to Little Hubquarter Creek to a point on the old Halifax-Hillsborough Stagecoach Road at the southwestern corner of River Township; thence in an easterly direction along said old Halifax-Hillsborough

Stagecoach Road and along the line dividing Judkins and River Townships to the point where it intersects the western corporate limits of the Town of Littleton; thence in a southeasterly direction along the corporate limits of The Town of Littleton to the point where the corporate limits intersect Mosby Avenue in said Town; thence in a southerly direction along Mosby Avenue to the point where the same is intersected by a street known as A Street; thence in an easterly direction along A Street to a point in the center line of Ferguson Street; thence in a northerly direction along Ferguson Street to the point where it intersects the southern corporate limits of the Town of Littleton; thence in a northeasterly direction along the corporate limits of The Town of Littleton to the point where said corporate limits intersect the center line of U. S. Highway No. 158 in Littleton Township, Halifax County; thence in a northeasterly direction along the center line of said Highway No. 158 to the point where it is intersected by the center line of North Carolina State Road No. 1400 in Littleton Township, Halifax County; thence in a northeasterly direction along the center line of said Road No. 1400 to the point where the same is intersected by North Carolina State Road No. 1419; thence in a northwesterly direction along the center line of said Road No. 1419 and along the center line of the old road leading to Lee's Creek to the point where the same intersects the center line of the old bed of Lee's Creek; thence in a northerly direction along the center line of the old bed of Lee's Creek to the point where the same intersects the line between Littleton Township of Halifax County and Northampton County on the Roanoke River; thence in a westerly direction along the line dividing Halifax and Northampton Counties and along said Roanoke River to the point where the same intersects the Warren County line; thence in a northerly direction along the line dividing Warren and Northampton Counties to a point in the line dividing the State of North Carolina and the Commonwealth of Virginia; thence in a westerly direction along the line dividing the State of North Carolina and the Commonwealth of Virginia to the BEGINNING."

The boundaries of said Administrative Unit within either Warren County or Halifax County may be changed from time to time upon the recommendation of the School District and with the approval of the Warren Commissioners or the Halifax Commissioners as the case may be and according to the County affected. In case of a dispute as to whether any particular land or property is located within or without the boundary lines of said Administrative Unit then said School District shall investigate the matter and locate the boundary line and the findings and location of the line by the School District shall be final.

**Sec. 3.** The Administrative Unit, above described, is hereby classified, created and established as a public school administrative unit of the State and which is hereby designated as the: Littleton-Lake Gaston Administrative Unit. The governing authority or administrative board of said Administrative Unit is hereby created and established and shall be known as: Littleton-Lake Gaston School District (hereinafter referred to as "School District", as defined above). The School District shall operate and

administer the public schools in the Administrative Unit and shall have and exercise all of the powers and duties, privileges and authority granted to, vested in and applicable to Boards of Education as set forth in Chapter 115 of the General Statutes as amended. The School District shall be entitled to and shall receive all of the financial aid and support, allocation of teachers, furnishing of textbooks, and all other aid and support given by the State to local school boards. The Warren Board and the Halifax Board shall transfer and turn over to the School District school buses now being used to transport pupils to and from schools now located in the Administrative Unit.

**Sec. 4.** The School District shall consist of five (5) members and the hereinafter named persons are hereby appointed to membership on said School District as follows: Fred L. Owen, Littleton, Halifax County; Paul A. Johnston, Littleton, Halifax County; A. Marvin Newsom, Littleton, Warren County; Herbert C. Harris, Route 3, Littleton, Warren County; and E. A. Daniel, Littleton, Warren County. These members shall hold office until their successors are duly elected and qualified. In the event that a majority of the qualified voters voting at such referendum or special election vote in favor of creating and establishing said unit, and as soon thereafter as may be both convenient to the unit and practical under the requirements of Chapter 163 of the General Statutes, the members shall provide for, take all necessary steps and hold a non-partisan election of new members who shall hold office until the first Monday in December 1970. At the general election for County Officers to be held in the year of 1970 there shall be elected in a non partisan election five (5) members of the School District who shall take office on the First Monday in December, 1970. The members so elected shall be residents of the Administrative Unit and shall file notice of candidacy, with a filing fee of five dollars (\$5.00), with the Secretary of the School District on or before the Friday preceding the sixth Saturday before the date of the Primary Election for County Officers. The names of all candidates shall be printed on a ballot without reference to any Political Party affiliation. The three candidates receiving the highest number of votes shall be elected for terms of four (4) years and the two (2) members or candidates who receive the next highest number of votes shall be elected for terms of two (2) years. Thereafter as the terms of office expire all successors shall be elected for terms of four (4) years. All members of the School District shall hold their offices until their successors are elected and qualified. All members of the School District shall be eligible to hold public office as required by the Constitution and laws of the State.

**Sec. 5.** The School District shall hold and conduct said election and for this purpose the School District shall have and exercise all of the powers, duties and authority of a county board of elections as set forth in Chapter 163 of the General Statutes as amended. The School District shall appoint all of the necessary election officers, establish precincts, adopt and establish all necessary registration books, poll books and all records necessary for an election and the said election shall be held under the laws and regulations applicable to the election of county officers and as set forth in Chapter 163 of the General Statutes as amended. All persons voting in said election shall be eligible voters and residents of the Administrative Unit. There shall be a new registration of the qualified voters for the first election held under this Act and thereafter it shall be within the discretion of the School District as to whether there shall be new

registrations. The School District shall give all necessary notices of registration and election as required by the election laws above referred to. At the close of the election the School District shall canvass the vote and judicially determine the members that have been elected.

**Sec. 6.** At the first meeting of the School District appointed as set forth above or of a new membership of the School District elected as herein provided, the School District shall organize by electing one of its members as chairman, and other necessary officers, and the Superintendent of Schools of the Administrative Unit shall be ex officio Secretary to the School District and shall keep the minutes and records of the School District but shall have no vote. The Chairman shall preside at the meetings of the School District, and in the event of his absence or sickness, the School District may appoint one of its members as temporary chairman. The Chairman may vote on all matters being considered by the School District but shall not vote twice in case of a tie vote. All vacancies in the membership of the School District by death, resignation, removal from office, change of residence or otherwise shall be filled by appointment of a resident of the Administrative Unit by the remaining members of the School District to serve for the unexpired term of office. All necessary expenses of the election of members of the School District as herein provided shall be paid by the School District.

**Sec. 7.** The School District is authorized and empowered to adopt reasonable rules and regulations governing the details and conduct of any referendum or election held under the provisions of this Act.

**Sec. 8.** Upon this Act becoming operative, and in force and effect, all public school property, both real and personal, and all buildings, facilities and equipment used for public school purposes, located in the Administrative Unit, and all records, books, papers, moneys budgeted for said facilities, accounts, papers and documents and property of any description shall vest in and become the property of the School District; all real estate belonging to the public schools located within the Administrative Unit is hereby granted, made over to, and automatically by force of this Act conveyed to the School District and transferred from the Warren Board and Halifax Board. The Warren Board and Halifax Board are hereby authorized and directed to execute any and all deeds, bills of sale, assignments or other documents that may be necessary to completely vest title to such property in the School District.

**Sec. 9.** All public school taxes levied in Warren County and Halifax County for the County-wide current expense funds and for the County-wide capital outlay funds, as well as any other public school funds, shall be apportioned to the school district on a per capita enrollment basis which shall be determined by the State Board of Education and certified to the School district and as provided in G.S. 115-86. The School District shall have the power to determine the rate of any local, supplemental taxes to be levied in the Administrative Unit, not exceeding the maximum rate authorized and approved by the voters of the Administrative Unit, and when the School District shall have determined the rate of local, supplemental taxes to be levied in said Administrative Unit and when the School District shall have so determined the rate of local, supplemental taxes to be levied in the said Administrative Unit and shall have certified same to the Warren Commissioners and the Halifax Commissioners, the said

boards of county commissioners, and each of them, shall levy said rate of local taxes within the portion of said Administrative Unit lying within their respective counties; and, the taxes so levied and collected, as other taxes are levied and collected, shall be paid over by the officers collecting the same to the treasurer or other fiscal agent of the School District. The School District shall submit budgets for school purposes to the Warren Commissioners and the Halifax Commissioners in the same manner as city and county boards of education.

**Sec. 10.** The School District shall be a governmental corporation and body politic and shall have the power to sue and be sued in its corporate and statutory name. The School District shall adopt a corporate seal and its certification as to the records of the School District, attested by its secretary shall be judicially noticed. The School District shall have as full authority to call and hold elections for the voting of bonds of the School District as is conferred upon boards of education and boards of commissioners. In calling the election for a bond issue, no petition of any county board of education shall be necessary, but the election shall be called and held by the School District under as ample authority as is conferred by law upon county boards of education and boards of county commissioners and according to the procedure contained in Article 9 of Chapter 153 of the General Statutes known as the "County Finance Act". When bonds of the School District have been approved by the voters under the authority of this Act, they shall be issued subject to the limitations of the "Local Government Act" and "County Fiscal Control Act" in the corporate name of the School District, signed by the Chairman and Secretary of the School District, sold by the School District, and the proceeds thereof deposited with the Treasurer or other fiscal officer of the School District and the taxes for the payment of principal and interest shall be levied and collected as provided hereinabove for the levy and collection of local, supplemental taxes: Provided, that certified copies of the bond orders and resolutions shall be recorded on the minutes of Warren Commissioners and Halifax Commissioners. The School District shall have the authority to borrow money from the State Literary Fund or from any other State funds available to the same extent as county boards of education. It shall be lawful for the Halifax Board and the Warren Board to contribute to the costs of the construction of public school buildings and other school facilities in the Administrative Unit in proportion to the number of children who are residents and attend the public schools in the Administrative Unit. At the end of each fiscal year the School District shall file a sworn statement of receipts and disbursements showing source of funds and objects for which spent with the Halifax Commissioners and the Warren Commissioners. The statement shall be a public record.

**Sec. 11.** Subject to the approval of the voters residing within the Administrative Unit and at the rate certified by the School District to the Warren Commissioners and the Halifax Commissioners, there shall be levied annually a supplemental tax in such amount as is now and may from time to time be provided for in G.S. 115-117 on each one hundred dollars (\$100.00) of the assessed value of the real and personal property taxable in that portion of the Administrative Unit in each of the respective counties of Warren and Halifax. The rate of the supplemental tax certified by the School District to the Warren Commissioners and the rate certified by the School

District to the Halifax Commissioners shall be adjusted annually by the School District to reflect any difference in the tax assessment ratio used by each County on its property so that the rate per one hundred dollars (\$100.00) valuation will be equal on the true value of all property within the Administrative Unit. The true value of the property shall be that value established from time to time by each County as to that portion of the property of the Administrative Unit within its boundaries. The tax shall be collected by the tax officials in each of said counties of Warren and Halifax and paid to the Treasurer or other fiscal officer of the School District. The School District may use the proceeds of the tax so collected to supplement any object or item in the school budget as fixed by law or to supplement any object or item in the Current Expense Fund, the Capital Outlay Fund or for any other lawful item of public school expenditure. The referendum or election for the approval or disapproval of said supplemental tax shall be held at the same time and submitted with the question as to whether or not the School District and Administrative Unit as herein provided shall be created and established.

**Sec. 12.** The School District, acting through its members as appointed under Section 4 of this Act, shall act as a board of elections for the purpose of organizing and conducting a referendum or special election on the question of whether or not the voters residing within the Administrative Unit approve or disapprove the creation and establishment of the School District and the Administrative Unit. At said referendum or special election there shall be submitted to the qualified voters residing in the Administrative Unit questions printed on a ballot which shall be substantially as follows:

VOTE FOR ONE

- ☐ FOR creating and establishing the Littleton-Lake Gaston School District and Administrative Unit to operate the public schools in the Administrative Unit and for the levy of an annual supplemental tax to operate schools of higher standard in such amount as is now and may from time to time be provided for in G.S. 115-117 on the assessed valuation of real and personal property according to each one hundred dollars (\$100.00) valuation for objects of school budget.
- ☐ AGAINST creating and establishing the Littleton-Lake Gaston School District and Administrative Unit to operate the public schools in the Administrative Unit and against levy of an annual supplemental tax to operate schools of a higher standard in such amount as is now and may from time to time be provided for in G.S. 115-117 on the assessed valuation of real and personal property according to each one hundred dollars (\$100.00) valuation for objects of school budgets.

The two questions submitted shall have placed before each question or proposition appropriate squares so that each voter may by his cross (X) mark indicate his preference. If a majority of the qualified voters voting at such referendum or special election vote in favor of creating and establishing the Littleton-Lake Gaston School District and the Administrative Unit, as herein provided, for the administration of the public schools in said Administrative Unit, then this Act shall become effective and operative as to all of its provisions upon the date said special election or referendum results are canvassed and the results judicially determined. If a majority of the qualified voters voting at such election or referendum shall vote against the propositions or

questions, above set forth and submitted, then this Act shall be void and of no effect, and the terms of office of the members of the School District set forth in Section 4 of this Act shall terminate and said members shall no longer hold office. Within forty (40) days from the date of the ratification of this Act the School District shall call for the special election or referendum, order a new registration of the voters in the Administrative Unit, establish precincts, set up election books and records, and appoint election officers. The School District shall hold and conduct said special election or referendum as set forth in Section 5 of this Act and according to the laws and regulations for holding and conducting of elections by a county board of elections as set forth in Chapter 163 of the General Statutes as amended. Notice of said special election or referendum shall be published once a week for two (2) successive weeks in some newspaper published within the Administrative Unit or having a general circulation within the Administrative Unit. The notice shall contain a brief statement of the purpose of the special election, the area in which it is held and that a vote by a majority of those voting in favor of this Act will establish the Littleton-Lake Gaston School District and its Administrative Unit as herein set forth and that an annual tax in such amount as is now and may from time to time be provided for in G.S. 115-117 on the assessed valuation of the real and personal property, according to each one hundred dollars (\$100.00) valuation, the rate to be fixed by the School District, will be levied as a supplemental tax in the Administrative Unit for the purpose of supplementing any lawful public school budgetary item. The expense of said special election or referendum shall be paid by the School District.

**Sec. 13.** All laws and clauses of laws in conflict with the provisions of this Act are hereby repealed.

**Sec. 14.** This Act shall be in full force and effect according to its provisions from and after its ratification.

In the General Assembly read three times and ratified, this the 26th day of May, 1969.