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# MMA NEWS

MISSOURI MAPPERS ASSOCIATION  
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## MISSOURI MAPPERS ASSOCIATION CERTIFICATION EXAMINATION

The Missouri Mappers Association PMM Certification Examination has been scheduled for June 1993. If you meet the following designation requirements, you are eligible to take the 7-hour comprehensive and subjective examination:

1. Have five full years of cadastral mapping experience or its equivalent.
2. Be engaged in the use production or maintenance of cadastral maps.
3. Attended a minimum of 30 hours of study in mapping, surveying or a closely-related subject.

In order to be scheduled for the examination, you must complete a Certification Application and submit information verifying that you meet the requirements listed above. This information must be received by the Certification Committee no later than 31 days after this issue date. If you would like to receive an application or have any questions, please contact Dan Roe, PMM, Certification Committee Chairman at 2524 Heying Dr., Columbia, MO 65202 (314) 875-1055.

## EDUCATIONAL MEETING

Tentative dates for Educational meetings are April 1, 2, 5 & 6. They will be held in Kansas City, Columbia, Springfield, and Flat River.

Subject covered at each meeting will be Inking, Curves, Highway Plans, Problem Deeds & Fundamentals. You will be notified of exact times and places.

## School District Lines: A Case History - Part II

by Ken Eftink

Let's review the history of schools in Missouri and the sources for the information.

Around the turn of the century, Missouri had a largely rural population. Roads were not well-developed and school districts were small basically because students had to walk to school. Some of you younger folks may remember your parents or grandparents telling about their tribulations getting to school. Why, they had to walk five miles through the snow, and they had to walk uphill all the way; coming and going; and they only had one pair of school shoes of which they wore one shoe and their sister wore the other. Most districts had a one-room school house for all eight grades.

Our county had over eighty school districts at the turn of the century. The County Clerk's office had a "plat book" which contained school district maps for most all of the eighty districts. I use the term "plat book" loosely because it really consisted of a large binder with numerous drawings placed in it. Many of the documents were onion skin paper and very fragile. These old plats were crucial pieces of information because these small districts were the



building blocks for our current enlarged school districts.

There existed a formal process for property owners to change school districts referred to as "petitioning out". The property owner would file a formal petition to be changed from one school district to another. The petition was put to a vote in both school districts. One district had to vote to release the property and the other district had to vote to accept it. The issue had to pass in both districts. If it passed in only one district, and not the other, then the change did not take place. However, the property owner had one other appeal process if he failed to get voter approval in both districts. He could appeal to a Board of Arbitration. This board was made up of persons disinterested in the proposed change who would review the change based on its own merit and decide whether the school district line should be changed.

In the early 1940's, the Missouri General Assembly began a process known as consolidation, with the *Consolidation of Schools Act*, whereby small school districts combined with neighboring districts to more economically provide services to the students in the district. Consolidation had mediocre success in our county as it did state-wide. Many small districts did not want to consolidate with other districts because of such things as: differing religious beliefs, national heritage, community pride, or lack of control of the curriculum.

The *Consolidation of Schools Act* did result in some districts combining into larger districts. However, many small districts still remained. The discrepancies between large and small districts only became more obvious.

Keep in mind that World War II was going on at this time and people were pulling together to win the war. After the war, farm to market roads were being built that provided the network for joining communities together. People were more mobile than they had ever been before. The necessity of the small school districts was dwindling and the benefits of larger "high school" districts became more apparent.

The Missouri State Legislature passed a law in 1947 to require small districts to begin reorganizing by 1949. The County Board of Education was required to do a study of existing school districts in their county and submit a plan for reorganization which "shall be in writing and shall include charts, maps and statistical information as are necessary to properly document the plan for proposed reorganized districts."

The proposed plan was submitted to the State Board of Education for their approval. If the State Board rejected the plan, then it was back to the drawing board for the County Board. If the State Board approved the plan, the County Board then published notices of the proposed plan in area newspapers and the date the election would be held.

An election was held with the voters in each of the small school districts involved voting "for the proposed enlarged district" or "against the proposed enlarged district." If a majority of the voters approved the new district, then the process of establishing a new district was set in motion. A new school board had to be elected,

assessment records had to be changed, students had to go to different buildings, etc. If the voters rejected the proposed districts, then the County Board of Education had to start the whole process all over again.

In our county, the first reorganization plan was approved by the State Board of Education and submitted to the voters in March of 1949. It was rejected by all of proposed reorganized districts. A second plan was prepared in 1950 and it too was rejected. A third plan of reorganization was prepared in 1954 in which seven school districts were proposed. Finally, one of the proposed reorganized districts was approved by the voters but the other six failed.

This process continued with a total of five reorganization plans being presented to the voters. Even as late as 1968 we still had several individual small school districts with one-room schoolhouses. It was about this time that the State mandated that these districts join a reorganized district or they would be assigned to one. Thus, after twenty years of turmoil the goals of reorganization were accomplished on paper, but the heated emotions of this period still remain in those individuals who felt they were adversely affected by the changes.

Our task in the mapping office was to reestablish the school district boundary line, but where do you begin? In our case, we started searching for a reliable source of information that would have all the answers we were looking for—some official plat map or legal description of the districts. You might say we were searching for the Rosetta Stone but instead we opened Pandora's Box. We researched records in the Assessor's Office and the County Clerk's Office. We visited the local university and searched through their archives. We investigated the historical files of the local newspapers for copies of the public notices. We went to Jefferson City and reviewed the files held by the State Board of Education. We asked the school district to provide any information they had on the subject. We interviewed persons who were involved in districts at the time of reorganization. We obtained some of our most important information from a person who was deceased.

Now before you jump to conclusions about my mental condition, let me explain. We had a County Superintendent who was in charge of keeping the records for reorganization. Unfortunately, he had passed away a number of years before and we were never able to locate his records. However, we did find a deposition he had given in a previous Circuit Court case over a school district boundary dispute. He had answered many of the questions we had about the accuracy of the maps he prepared with the reorganization plan.

The maps prepared were general outlines of the proposed districts and not intended to recreate the districts' legal boundaries. The end result of our search was that there was no one reliable source of information about the precise location of the school district boundary line.

For the sake of time, let me summarize what we found to be crucial for reestablishing the school district lines.



These are also the facts that were considered and upheld by the Circuit Court and the Missouri Court of Appeals.

1. the reorganization plans that were duly approved by the voters. Be warned that the maps included with the plans may not accurately reflect the true boundary lines.
2. The plats of the small individual school districts.
3. All petitions for a change of school district that were approved by the voters. Note that these petitions may be for a change to the original small districts prior to reorganization or later for a change to the reorganized district.
4. All school district changes that were approved by the Board of Arbitration. Note that petitions that failed in one district but passed in the other could be appealed to the Board of Arbitration.

The Primary source for the reorganization plans, the small school district plats, the petitions and arbitrations is the County Clerk's Office. However, it would not be unusual to find some of this information on file with the County Assessor, the State Board of Education in Jefferson City maintains files of the reorganization plans. Each reorganized school district is supposed to have the records from the small districts which were combined to create them.

A good secondary source of information is the assessor's tax rolls which were typically updated by hand and corresponded to the legally approved district changes. However, keep in mind the human error factor because the older tax rolls were not computer-generated and someone had to manually copy the tax roll from one year to the next. We found some changes to the tax roll that could only be attributed to human error.

There is surely a special place in heaven for those folks who spent months meticulously retyping the tax roll each year. Their patience and dedication to their job is commendable and their occasional errors forgivable.

After we had gathered all the information available, we set out fitting together these pieces of the puzzle to recreate the school district boundary lines. We drew these reestablished lines on our parcel maps and compared them to the assessment records. On any parcel that we found a conflict between our records and the assessment records, we documented the reason why we recommended a change should be made to the assessment record. We then presented this information to each school board, again asking for any additional documentation they may have. Once we had ironed out all the minute details of the boundary lines, we prepared three copies of all the reorganization plans, petitions, arbitrations, and maps of each school district. One copy was provided to the school district, one copy went to the County Clerk, and one copy stayed in our file in the Assessor's Office.

You may have noticed that I have been very careful to say that we recreated or reestablished the school district lines. Neither the mapper, the Assessor, nor the school board has the authority to change the school district's boundary. Only by reorganization, petition or arbitration

can the boundary change. As mappers, we are strictly limited to verifying what has been done in accordance to State statutes.

We were very successful with our reestablishment of the boundary lines in six out of seven of the school districts in our county. Six districts were very appreciative to receive the first detailed accurate maps of their boundaries. However, one school district insisted that their boundary lines should be established from the map that had been sent in with the reorganization plan and perpetuated in other various school district maps even though it did not correspond to small districts that were consolidated by the official vote on the reorganization plan. I attended several of their school board meetings trying to explain our position and to gather any documentation from them that may justify their position. Apparently, the emotions over events that had taken place nearly thirty five years ago overshadowed their willingness to listen to reason and they filed suit against the County Assessor and the adjoining school district.

The trial was heard by a Circuit Court judge and took two days. Over 100 exhibits were presented. Testimony was taken from the school superintendents, representatives of the State Board of Education, the County Clerk, the County Assessor, a dozen or so property owners in the area in dispute, and myself as Director of Mapping.

Most of the exhibits presented in the trial were plats or documents that had been collected by the Mapping office. I was very fortunate to have an assistant who had done an outstanding job organizing the information we collected. I was also very fortunate to have an Assessor and a County Commission who were willing to let us dedicate the time toward resolving the problem.

As Director of Mapping, I became a key witness in reviewing the exhibits and explaining the County's position based on the evidence. I testified on the witness stand for over five hours. The attorney for the plaintiff school district insisted that I not be considered an expert witness or be allowed to give my opinion regarding the location of the boundary line in question. Ironically, in the attorney's Finding of Fact and Conclusion of Law to the judge, he went to a great deal of effort to criticize my testimony and attack my personal life.

Their attorney claimed I had been a life-long resident of the defendant school district (which I had noted and that both my children attended the defendant school district (my oldest child was two-and-a-half years old and my youngest child was three weeks old on the day of the trial). Some attorneys are nothing more than prostitutes of the legal system who do what they are paid to do and say what they are paid to say regardless if it is the truth or not. When the evidence does not prove their point then they start grasping at straws. My purpose for telling you this is so you can prepare yourself for this type of personal attack.

The trial took place October 5 and 6, 1988, but the judge did not file his decision until November 24, 1990. The judge stated that the large volume of exhibits, current and previous reorganization statutes, case law, and testi-



mony that had to be reviewed was the reason it took over two years to reach a decision.

The Circuit Court ruling was appealed on December 21, 1990 to the Missouri Court of Appeals. The Court of Appeals reviewed the evidence presented in the trial and, on June 2, 1992, affirmed the appeal to the Missouri Supreme Court. Finally, after three and a half years, we were able to settle the issue.

In conclusion, I would like to say that reestablishing a taxing district boundary can be a very challenging experience, but it's a job that has to be done. I would like to offer these suggestions:

1. Familiarize yourself with the State Statutes affecting the creation and changes of the district.
2. Thoroughly research all available sources of information.
3. Carefully document and inventory your information sources.
4. Keep a log of names, dates, and contents of your discussions with individual sources.
5. Critique maps for their accuracy and the use for which they were prepared.
6. Analyze the information you have compiled and document your conclusions based on the facts.
7. Keep in mind that you can not change a district line. You can only reestablish it and correct the records.
8. Be sure to document any corrections you make

with the parties affected. Provide documentation to the offices who maintain the records for the district and for the County.

Never underestimate the importance of the work you do as a mapper. The maps you created are valuable tools used by many other professions. Surveyors, appraisers, developers, attorneys, and other government agencies are just a few. Every map has a disclaimer on it stating that it was created for taxing purposes only, but in reality they are such a good source of information that people use them for just about everything. The maps you are working on today are the base maps of tomorrow. So continue to strive to make your maps the best they can be.

#### **NEED A COPY MACHINE?**

TAKING BIDS on a Colt 200 Blue Ray Copy Machine complete with Scavenger Filtering System, approximately 8 years old.

Closed bids only.

Send to: Vernon County Assessor  
Attn: Jeannie Reed  
Courthouse  
Nevada, Missouri 64772

#### **WANTED:**

Hickory County needs a lighted Drafting Table. Contact Marti at (417) 745-6346.



## **MISSOURI MAPPERS ASSOCIATION**

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