WEST VIRGINIA LEGISLATURE
REGULAR SESSION, 1967

ENROLLED

HOUSE BILL No. 1089

(By Mr. Moyers)

PASSED March 8, 1967

In Effect Passage

FILED IN THE OFFICE
ROBERT D. BAILEY
SECRETARY OF STATE
THIS DATE 3-16-67
ENROLLED

House Bill No. 1089
(By Mr. Moyers)

[Passed March 8, 1967; in effect from passage.]

AN ACT to amend and reenact sections one, two, eight, nine, thirteen, sixteen and twenty, chapter one hundred ninety-six, acts of the Legislature, regular session, one thousand nine hundred sixty-three, relating to the Braxton county four-H club development authority.

Be it enacted by the Legislature of West Virginia:

That sections one, two, eight, nine, thirteen, sixteen and twenty, chapter one hundred ninety-six, acts of the Legislature, regular session, one thousand nine hundred sixty-three, be amended and reenacted to read as follows:

§1. Board of education authorized to create.

1 The board of education of the county of Braxton is hereby authorized to create and establish a public agency
to be known as the "Braxton County recreation Development Authority" (hereinafter called the authority), to succeed to all the rights, interests and authority hereinbefore vested in the Braxton county four-H club development authority, for the purposes and in the manner hereinafter set forth.

§2. Purposes.

The authority is hereby authorized to acquire, equip, construct, improve, maintain and operate county youth camps and general public recreational areas and facilities in Braxton county with all usual and convenient appurtenances, including but not limited to recreational facilities, such as swimming pools, tennis courts, golf courses and horse riding stables; and to operate, either directly or on a concession basis, any activity that is necessary or convenient, customary or desirable, and related or incidental to the above-mentioned camps and recreational areas and facilities, including but not limited to hotels, restaurants and gift shops.

§8. Authority to be a public corporation.

The authority when created, and the members thereof,
shall constitute and be a public corporation under the
name of "Braxton County Recreational Development
Authority" and as such shall have perpetual succes-
sion, may contract and be contracted with, sue and be
sued, plead and be impleaded and have and use a com-
mon seal.


The authority is hereby given power and authority
as follows:

(1) To make and adopt all necessary by-laws, rules
and regulations for its organization and operation not
inconsistent with law;

(2) To elect its own officers, to appoint committees
and to employ and fix the compensation for personnel
necessary for its operation;

(3) To enter into contracts with any person, govern-
mental department, firm or corporation, including both
public and private corporations, and generally to do
any and all things necessary or convenient for the pur-
pose of acquiring, equipping, constructing, maintain-
ing, improving, extending, financing and operating
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15 county youth camps and general public recreational
16 areas and facilities and all usual and convenient appur-
17 tenant activities and facilities in braxton county, west
18 virginia, including but not limited to those enumerated
19 in section two hereof;
20 (4) To delegate any authority given to it by law to
21 any of its officers, committees, agents or employees;
22 (5) To apply for, receive and use grants in aid, dona-
23 tions and contributions from any source or sources,
24 including but not limited to the federal government and
25 any agency thereof, and the state of west virginia, and
26 to accept and use bequests, devises, gifts and donations
27 from any person, firm or corporation;
28 (6) To acquire lands and hold title thereto in its
29 own name;
30 (7) To purchase, own, hold, sell and dispose of per-
31 sonal property and to sell, lease or otherwise dispose of
32 any real estate which it may own;
33 (8) To borrow money and execute and deliver negoti-
34 tiable notes, mortgage bonds, other bonds, debentures,
35 and other evidences of indebtedness therefor, and give
such security therefor as shall be requisite, including
giving a mortgage or deed of trust on its property and
facilities in connection with the issuance of mortgage
bonds;
(9) To raise funds by the issuance and sale of reve-
uue bonds in the manner provided by the applicable
provisions of article four-a, chapter eight of the code
of West Virginia, one thousand nine hundred thirty-
one, as amended, it being hereby expressly provided that
the authority is a "municipal authority" within the defi-
nition of that term as used in said article four-a, chap-
ter eight of the code; and
(10) To expend its funds in the execution of the pow-
ers and authority herein given.
§13. County commissioners authorized to convey properties
and facilities to the authority.
1 The county court of the county of Braxton is hereby
authorized to convey to the newly created author-
ity property owned by the county of Braxton, together
with all the appurtenances and facilities therewith, such
conveyance to be without consideration or for such price
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6 and upon such terms and conditions as the county court
7 of the county of Braxton shall deem proper.

§16. Contributions to authority; funds and accounts; publication of annual report.

1 Contributions may be made to the authority from time
to time by the county court of the county of Braxton,
the board of education of Braxton county, the federal
government, and by any persons, firms or corporations
that shall desire so to do. All such funds and all other
funds received by the authority shall be deposited
in such bank or banks as the authority may direct and
shall be withdrawn therefrom in such manner as the
authority may direct. The authority shall keep strict
account of all its receipts and expenditures and shall
each quarter make a report to the board of education
of the county of Braxton containing an itemized account
of its receipts and disbursements during the preceding
quarter. Such report shall be made within sixty days
after the termination of the quarter. Within sixty days
after the end of each fiscal year, the authority shall make
an annual report containing an itemized statement of
its receipts and disbursements for the preceding year
and such annual report shall be published once a week
for two successive weeks in two newspapers of oppo-
site politics published in Braxton county, West Vir-
ginia, and of general circulation in Braxton county,
West Virginia, if there be two such papers, or other-
wise in any newspaper of general circulation in said
county. The books, records and accounts of the author-
ity shall be subject to audit and examination by the
office of the state tax commissioner of West Virginia
and by any other proper public official or body in the
manner provided by law.

§20. Liberal construction of act.

It is the purpose of this act to provide for the acquisi-
tion, construction, improvement, extension, maintenance
and operation of a camp or camps and recreational facili-
ties and appurtenant facilities in a prudent and economi-
cal manner, and this act shall be liberally construed as
giving to the authority full and complete power reason-
ablely required to give effect to the purposes hereof. The
provisions of this act are in addition to and not in dero-
gation of any power existing in the board of education and the county court of the county of Braxton under any constitutional or statutory provisions which they may now have, or may hereafter acquire.
The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

William Samp
Chairman Senate Committee

Clayton C. Davidson
Chairman House Committee

Originated in the House.

Takes effect from passage.

Joseph negotiation
Clerk of the Senate

A. Blankenship
Clerk of the House of Delegates

Howard P. Carawan
President of the Senate

A. Nathan Tabb
Speaker House of Delegates

The within approved this the 16th day of March, 1967.

Herbert C. Smith
Governor
PRESENTED TO THE
GOVERNOR

Date 3/3/67
Time 4:32 p.m.