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STATE OF WEST VIRGINIA

WEST VIRGINIA LEGISLATURE
REGULAR SESSION, 1970

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ENROLLED

HOUSE BILL No. 759

(By Mr. Tolson, of Cabell)

—●—

PASSED February 12, 1970

In Effect from Passage



FILED IN THE OFFICE
JOHN D. ROCKEFELLER, IV
SECRETARY OF STATE
THIS DATE 2-18-70

759

ENROLLED
House Bill No. 759
(By MR. NELSON, of Cabell)

[Passed February 12, 1970; in effect from passage.]

AN ACT to amend and reenact sections two, four, five and six, chapter one hundred seventy-eight, acts of the Legislature, regular session, one thousand nine hundred fifty-nine, as last amended and reenacted by chapter two hundred, acts of the Legislature, regular session, one thousand nine hundred sixty-three, relating to the Cabell county youth center.

Be it enacted by the Legislature of West Virginia:

That sections two, four, five, and six, chapter one hundred seventy-eight, acts of the Legislature, regular session, one thousand nine hundred fifty-nine, as last amended and reenacted by chapter two hundred, acts of the Legislature, regular

session, one thousand nine hundred sixty-three, be amended and reenacted to read as follows:

CABELL COUNTY YOUTH CENTER.

§2. Board of supervisors; composition; how elected; terms of members; reimbursement of expenses; qualifications; removal; oath; organization; powers.

1 The Cabell county youth center and its integral parts
2 shall be governed by a board known as the board of
3 supervisors of the Cabell county youth center, and which
4 said board of supervisors shall be created as herein-
5 after set forth, for the purpose of establishing, construc-
6 ting buildings and making land improvements, equip-
7 ping, developing, operating, financing, administering
8 and managing said youth center and its integral
9 parts.

10 The board of supervisors shall consist of twelve reg-
11 ular members elected one by and from each of the
12 following organizations: Huntington ministerial asso-
13 ciation; Cabell county medical association; Cabell county
14 bar association; county court of Cabell county; Hunting-
15 ton district labor council; womens interclub council;

16 Cabell county parent-teachers association; Cabell county
17 board of education; family services, inc.; Ona parent-
18 teachers association; Cabell county department of wel-
19 fare; and the juvenile division of the Huntington police
20 department.

21 The terms of the first four hereinabove named shall
22 expire on the thirtieth day of June, one thousand nine
23 hundred sixty-three; the terms of the second group of
24 four hereinabove named shall expire on the thirtieth
25 day of June, one thousand nine hundred sixty-four;
26 and the terms of all the remaining members herein-
27 above named shall expire on the thirtieth day of June,
28 one thousand nine hundred sixty-five. Upon the expira-
29 tion of the terms specifically set out hereinabove, each
30 person thereafter shall be appointed for a term of three
31 years, except that any person appointed to fill a vacancy
32 occurring prior to the expiration of the term for which
33 his predecessor was chosen, shall be chosen only for
34 the remainder of such term. Members shall be eligible
35 to succeed themselves.

36 The mayor of the city of Huntington, or someone

37 designated by him, the mayors of the towns of Barbours-
38 ville and Milton, the sheriff of Cabell county, or a deputy
39 sheriff designated by him, and the Cabell county agricul-
40 tural agent shall be ex officio members of said board
41 of supervisors with voting privileges equal to that of
42 each and every other member.

43 The board of supervisors shall serve without com-
44 pensation except they may be reimbursed for any ex-
45 penses incurred in the performance of their duties.

46 Each regular member of the board of supervisors
47 shall be a bona fide citizen and resident of said county
48 and any regular member thereof who shall cease to be
49 a bona fide citizen and resident of said county shall
50 thereby be disqualified as a member of the board,
51 and his office shall thereupon become vacant.

52 Any regular member of the board of supervisors may
53 be removed from office for dishonesty, incompetency
54 or neglect of duty in office in the same manner and
55 for the same reasons as, by the constitution and stat-
56 utes of this state, are made and provided for the removal
57 of general county officers.

58 Prior to entering upon their duties each member of
59 the board of supervisors shall take an oath in writing
60 to support the constitution of the United States and
61 of the state of West Virginia and to faithfully perform
62 the duties of a member of said board. Said oaths shall
63 be filed in the office of the clerk of the county court of
64 Cabell county.

65 The board shall designate one of its members as
66 president, another as vice president, and shall select a
67 secretary from the board membership or otherwise. It
68 shall fix the time and place of its meetings and six
69 members present shall constitute a quorum.

70 The board of supervisors shall provide for the em-
71 ployment of an executive director whose duties shall
72 be to execute the orders of the board of supervisors
73 and direct the overall management of the youth center.
74 The board shall also have the power to employ and
75 fix the compensation of any and all persons as in its
76 opinion may be necessary for the operation, mainte-
77 nance, administration and management of the property
78 under its control, limited however, by the authority

79 vested in the West Virginia department of welfare by
80 section four hereof, and limited further by the appro-
81 priation of funds for such purposes by the county court
82 of Cabell county. The board of supervisors shall have
83 the power to make rules and regulations and to enforce
84 same, as may be necessary for the management and
85 control of the youth center and each of its integral parts.

§4. Foster homes division.

1 The foster homes division of the Cabell county youth
2 center shall be erected and maintained at the Cabell
3 county farm at Ona, West Virginia, as homes for Cabell
4 county children who are orphans, homeless, neglected
5 or deserted, or who, if permitted to run ungoverned
6 or undisciplined, are apt to become delinquent, and
7 which said children are within the age prescribed by
8 the statutes of this state for juveniles.

9 The board of supervisors of the Cabell county youth
10 center with the approval of the Cabell county court,
11 is authorized to erect and maintain at said farm suffi-
12 cient cottages and of capacity to comfortably house
13 the aforementioned juveniles. Each cottage when chil-

14 dren are housed therein shall have as "cottage parents"
15 a husband and wife team in charge, both of whom
16 shall be persons of good moral character, experienced
17 in child care, having proper understanding of children
18 and temperamentally fit to care and rear them. Each
19 cottage shall be conducted comparable to a well ordered
20 home, with proper supervision and understanding dis-
21 cipline maintained by the "cottage parents". The chil-
22 dren therein housed shall be treated as members of
23 a well ordered family where there is proper intellectual,
24 physical, spiritual and exemplary moral training. Each
25 child shall be given a home therein so long as its need
26 therefor exists and it remains a juvenile or until a sat-
27 isfactory permanent home has been found or it is placed
28 for adoption.

29 Both the West Virginia department of welfare and
30 the Cabell county department of welfare may recom-
31 mend for admittance to the foster homes division any
32 juvenile that is in the custody or under the care of
33 the department. Upon receipt of the department's
34 recommendation, the board of supervisors shall deter-

35 mine whether the juvenile is to be placed in the foster
36 homes division.

37 For the support and maintenance of the children
38 placed in said foster homes division by the departments
39 of welfare, they shall contribute according to the in-
40 stitutional formula used for payment by the depart-
41 ments in other counties of the state. The money so
42 contributed shall be paid to the county court of Cabell
43 county and by that court set aside for the use of said
44 foster homes division.

45 The "cottage parents" and all other personnel re-
46 quired for the efficient operation of said cottages in
47 which children are maintained shall be carefully
48 selected by the board of supervisors. Said "cottage
49 parents" shall be responsible for the supervision and
50 training of all the children committed to their care;
51 for keeping them in school during school terms and
52 hours; for teaching them to do a reasonable amount of
53 work, and for making each cottage as nearly self-support-
54 ing as possible.

55 The children residing in said foster homes shall be

56 required, when within school age, and when their
57 health and physical condition permits, to attend the
58 public schools. The board of education of said county
59 shall make provisions for them in the public school at
60 Ona, West Virginia, or if any one or more of them be
61 in a grade higher than is taught at Ona, then provision
62 therefor shall be made in a school wherein such grade
63 is taught.

64 Complete supervision of the foster homes division
65 together with the employment and discharge of any
66 and all personnel including "cottage parents" shall be
67 under the board of supervisors. The salary of each
68 person so employed shall be reasonable and be deter-
69 mined by the board, and when approved by the said
70 board of supervisors shall be certified for payment as
71 is provided in section six hereof. In the submission by
72 the board of supervisors of the estimate of all monetary
73 needs of the Cabell county youth center to the county
74 court as provided in section six hereof, the board shall
75 include all reasonable monetary needs of the foster
76 homes division for the next fiscal year, said estimate

77 shall cover all anticipated costs for services for all em-
78 ployees and personnel employed in the reasonable oper-
79 ation of said foster homes, and all other reasonable
80 expenses incident thereto.

**§5. Recreation division; recreational facilities; operating per-
sonnel.**

1 The board of supervisors is authorized to maintain
2 a place for recreation for the youth of Cabell county
3 at the Cabell county farm at Ona, West Virginia. The
4 board is hereby authorized to erect, at said farm, such
5 playgrounds, swimming pools, tennis courts, ball parks,
6 golf courses, and such other facilities as to the board
7 may seem advisable, where Cabell county youth may
8 assemble, for play, sport, entertainment, recreation or
9 instruction. The board is also authorized to erect and
10 maintain as the needs require, cottages, assembly halls,
11 kitchens, mess halls, and camping quarters, which may
12 be leased at terms and rates as to the board may appear
13 proper. It is the intent hereof to provide a place for
14 assembly of youth groups from churches, scouts, clubs
15 or any other worthy youth organizations, for purposes

16 hereinabove set out and to the end that the recreation
17 division may be used as a preventive of delinquency in
18 youth and for the building of strong bodies and strong
19 characters.

20 The board of supervisors is authorized to employ a
21 camp manager and such other personnel as may be re-
22 quired to operate said facilities and to the end that the
23 greatest possible value may accrue to youth and that
24 same may be as nearly self-supporting as possible. The
25 manager and personnel shall be answerable to the board
26 and under the direct supervision of the executive di-
27 rector.

**§6. Estimate of construction, maintenance and operating costs;
county court to provide funds; payment of expenses;
special fund; gifts and bequests.**

1 The board of supervisors shall annually prepare and
2 submit to the county court of Cabell county, in advance
3 of the levy term of said court, an estimate of all the
4 monetary needs of the Cabell county youth center and
5 each of its integral parts, for the next fiscal year, said
6 estimate shall cover anticipated costs for construction,
7 maintenance and operation of buildings, and all antici-

8 pated expenses relative to the operation of said youth
9 center for the ensuing fiscal year. The county court of
10 Cabell county shall receive said estimate and may provide
11 in the annual budget of the county, for the reasonable
12 requirements of said youth center as set forth in said
13 estimate and for each of its divisions. No obligations
14 shall be incurred or debts contracted by the board of
15 supervisors in excess of said budget, without prior con-
16 sent of the county court.

17 All current expenses for salaries, supplies and such
18 other things as are required for the efficient operation
19 of the said youth center, including construction costs,
20 shall be certified for payment at the end of each calendar
21 month to the county court of Cabell county by the presi-
22 dent and secretary of the board of supervisors, in writing,
23 and signed by each of them. Thereupon the county court
24 shall cause same to be paid out of the separate fund
25 created for said Cabell county youth center, and other-
26 wise to be paid in the same manner as general current
27 county expenses are paid.

28 The county court of Cabell county shall have the power

29 and authority to transfer moneys from inactive funds,
30 and special unused funds, or the general county fund to
31 a separate fund for the use of the Cabell county youth
32 center, as needs may require. The county court of Cabell
33 county is further authorized and empowered to receive
34 and expend for the purposes herein provided, gifts, be-
35 quests and donations from any person, corporation, firm
36 or association.

The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

William Tompkins
Chairman Senate Committee

Clayton C. Davidson
Chairman House Committee

Originated in the House.

Takes effect from passage.

James Nease
Clerk of the Senate

C. A. Blankenship
Clerk of the House of Delegates

Henry G. Jackson
President of the Senate

Sam F. Bainsky
Speaker House of Delegates

The within approved this the 17th
day of February, 1970.

Arch A. Moore Jr.
Governor



PRESENTED TO THE
GOVERNOR

Date 2/16/70
Time 2:40 p.m.