WEST VIRGINIA LEGISLATURE
REGULAR SESSION, 1970

ENROLLED

HOUSE BILL No. 759

(By Mr. Nelson, of Cabell)

PASSED February 12, 1970

In Effect Passage

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

75-9
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 shall be governed by a board known as the board of supervisors of the Cabell county youth center, and which said board of supervisors shall be created as hereinafter set forth, for the purpose of establishing, constructing buildings and making land improvements, equipping, developing, operating, financing, administering and managing said youth center and its integral parts.

10 The board of supervisors shall consist of twelve regular members elected one by and from each of the following organizations: Huntington ministerial association; Cabell county medical association; Cabell county bar association; county court of Cabell county; Huntington 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
day of June, one thousand nine hundred sixty-four;
25 and the terms of all the remaining members herein-
26 above named shall expire on the thirtieth day of June,
27 one thousand nine hundred sixty-five. Upon the expira-
28 tion of the terms specifically set out hereinabove, each
29 person thereafter shall be appointed for a term of three
30 years, except that any person appointed to fill a vacancy
31 occurring prior to the expiration of the term for which
32 his predecessor was chosen, shall be chosen only for
33 the remainder of such term. Members shall be eligible
34 to succeed themselves.

36 The mayor of the city of Huntington, or someone
designated by him, the mayors of the towns of Barboursville and Milton, the sheriff of Cabell county, or a deputy sheriff designated by him, and the Cabell county agricultural agent shall be ex officio members of said board of supervisors with voting privileges equal to that of each and every other member.

The board of supervisors shall serve without compensation except they may be reimbursed for any expenses incurred in the performance of their duties.

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

Any regular member of the board of supervisors may be removed from office for dishonesty, incompetency or neglect of duty in office in the same manner and for the same reasons as, by the constitution and statutes of this state, are made and provided for the removal of general county officers.
Prior to entering upon their duties each member of the board of supervisors shall take an oath in writing to support the constitution of the United States and of the state of West Virginia and to faithfully perform the duties of a member of said board. Said oaths shall be filed in the office of the clerk of the county court of Cabell county.

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

The board of supervisors shall provide for the employment of an executive director whose duties shall be to execute the orders of the board of supervisors and direct the overall management of the youth center. The board shall also have the power to employ and fix the compensation of any and all persons as in its opinion may be necessary for the operation, maintenance, administration and management of the property under its control, limited however, by the authority
vested in the West Virginia department of welfare by
section four hereof, and limited further by the appro-
priation of funds for such purposes by the county court
of Cabell county. The board of supervisors shall have
the power to make rules and regulations and to enforce
same, as may be necessary for the management and
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
center shall be erected and maintained at the Cabell
county farm at Ona, West Virginia, as homes for Cabell
county children who are orphans, homeless, neglected
or deserted, or who, if permitted to run ungoverned
or undisciplined, are apt to become delinquent, and
which said children are within the age prescribed by
the statutes of this state for juveniles.

9 The board of supervisors of the Cabell county youth
center with the approval of the Cabell county court,
is authorized to erect and maintain at said farm suffi-
cient cottages and of capacity to comfortably house
the aforementioned juveniles. Each cottage when chil-
dren are housed therein shall have as "cottage parents" a husband and wife team in charge, both of whom shall be persons of good moral character, experienced in child care, having proper understanding of children and temperamentally fit to care and rear them. Each cottage shall be conducted comparable to a well ordered home, with proper supervision and understanding discipline maintained by the "cottage parents". The children therein housed shall be treated as members of a well ordered family where there is proper intellectual, physical, spiritual and exemplary moral training. Each child shall be given a home therein so long as its need therefor exists and it remains a juvenile or until a satisfactory permanent home has been found or it is placed for adoption.

Both the West Virginia department of welfare and the Cabell county department of welfare may recommend for admittance to the foster homes division any juvenile that is in the custody or under the care of the department. Upon receipt of the department's recommendation, the board of supervisors shall deter-
mine whether the juvenile is to be placed in the foster homes division.

For the support and maintenance of the children placed in said foster homes division by the departments of welfare, they shall contribute according to the institutional formula used for payment by the departments in other counties of the state. The money so contributed shall be paid to the county court of Cabell county and by that court set aside for the use of said foster homes division.

The "cottage parents" and all other personnel required for the efficient operation of said cottages in which children are maintained shall be carefully selected by the board of supervisors. Said "cottage parents" shall be responsible for the supervision and training of all the children committed to their care; for keeping them in school during school terms and hours; for teaching them to do a reasonable amount of work, and for making each cottage as nearly self-supporting as possible.

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

Complete supervision of the foster homes division
together with the employment and discharge of any
and all personnel including "cottage parents" shall be
under the board of supervisors. The salary of each
person so employed shall be reasonable and be deter-
mined by the board, and when approved by the said
board of supervisors shall be certified for payment as
is provided in section six hereof. In the submission by
the board of supervisors of the estimate of all monetary
needs of the Cabell county youth center to the county
court as provided in section six hereof, the board shall
include all reasonable monetary needs of the foster
homes division for the next fiscal year, said estimate
§5. Recreation division; recreational facilities; operating personnel.

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

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

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

The board of supervisors shall annually prepare and
submit to the county court of Cabell county, in advance
of the levy term of said court, an estimate of all the
monetary needs of the Cabell county youth center and
each of its integral parts, for the next fiscal year, said
estimate shall cover anticipated costs for construction,
maintenance and operation of buildings, and all antici-
pated expenses relative to the operation of said youth center for the ensuing fiscal year. The county court of Cabell county shall receive said estimate and may provide in the annual budget of the county, for the reasonable requirements of said youth center as set forth in said estimate and for each of its divisions. No obligations shall be incurred or debts contracted by the board of supervisors in excess of said budget, without prior consent of the county court.

All current expenses for salaries, supplies and such other things as are required for the efficient operation of the said youth center, including construction costs, shall be certified for payment at the end of each calendar month to the county court of Cabell county by the president and secretary of the board of supervisors, in writing, and signed by each of them. Thereupon the county court shall cause same to be paid out of the separate fund created for said Cabell county youth center, and otherwise to be paid in the same manner as general current county expenses are paid.

The county court of Cabell county shall have the power
and authority to transfer moneys from inactive funds, and special unused funds, or the general county fund to a separate fund for the use of the Cabell county youth center, as needs may require. The county court of Cabell county is further authorized and empowered to receive and expend for the purposes herein provided, gifts, bequests and donations from any person, corporation, firm or association.
The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

William Tempe
Chairman Senate Committee

Clayton E. Davidson
Chairman House Committee

Originated in the House.

Takes effect from passage.

James Noyes
Clerk of the Senate

W.H. Blankenship
Clerk of the House of Delegates

Lloyd S. Jackson
President of the Senate

Joe T. Barisch
Speaker House of Delegates

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

Arch A. Thomas
Governor