

COUNTY COMMISSION OF SUMMERS COUNTY
ORDINANCE ESTABLISHING
SUMMERS COUNTY PARKS & RECREATION COMMISSION

WHEREAS, West Virginia Code Chapter 7, Article 11, Section 1, et seq, provides for the establishment and operation of a county parks and recreation commission; and

WHEREAS, it appears to be advantageous to the development, welfare, and wellness of Summers County, West Virginia; that a parks and recreation program be undertaken; and

WHEREAS, the County Commission needs a county parks and recreation commission to assist in the operation, maintenance, improvement, extension, enlargement, leasing and control of the facilities as set forth in Chapter 7, Article 11, Section 1, et seq; and

WHEREAS, the Parks & Recreation Commission shall possess all of the rights, powers, authority and duties granted to and imposed upon such a commission by Chapter 7, Article 11, Section 1, et seq, and other Code Sections as may be applicable; and,

WHEREAS, the County Commission has the authority to establish and conduct a public recreation levy to fund the operations of a Parks & Recreation Commission in accordance with West Virginia Code 10-2-2.

NOW, THEREFORE, be it RESOLVED and ORDERED that the County Commission of Summers County does hereby establish a Summers County parks and recreation commission to be governed as follows:

ARTICLE I: Title

The name of the commission shall be the Summers County Parks & Recreation Commission, hereinafter referred to as "The Parks & Recreation Commission".

ARTICLE II: Objectives, Purposes, Rights, and Authorities

Section 1

The Parks & Recreation Commission is organized in accordance with Chapter 7, Article 11, Section 1, et seq, of the West Virginia Code for the purpose of establishing, improving, developing, administering, operating, and maintaining a county public parks and recreation system or public recreational facilities. It is the function of the Parks & Recreation Commission to concern itself with the above objective and to serve the County Commission as an adviser on parks and recreational matters.

Section 2

In accordance with Chapter 7, Article 11, Section 1, et seq, of the West Virginia State Code, the Parks & Recreation Commission shall be a public body with perpetual existence and a corporate seal. The Parks and Recreation Commission shall have the right of eminent domain and the power and authority to receive and disburse any manner of funds related to revenues and expenses regarding the ownership or acquisition of properties, contractual agreements, the operation and use of facilities, insurance, and investments.

Section 3

In accordance with West Virginia Code 10-2-2, the Summers County Commission specifically reserves the right to establish and conduct a levy to fund the operations of a Parks & Recreation Commission.

Section 4

The Parks & Recreation Commission shall have all powers, duties, and authority granted to such a commission by West Virginia Code Chapter 7, Article II, Section 1, et seq. or any subsequent code section establishing and regulating said commission.

ARTICLE III: Composition of Membership, Terms, Vacancies

Section 1

Composition. In accordance with Chapter 7, Article 11, Section 1, et seq, of the West Virginia State Code, the Parks & Recreation Commission shall consist of eleven members appointed by the County Commission in a manner to achieve geographical and organizational representation of the County. Candidates for the Parks & Recreation Commission must have been residents of the County for at least one (1) year prior to appointment. Two (2) Parks & Recreation Commission members shall be appointed from each of the three (3) geographical districts. One County Commission member will serve on the Parks & Recreation Commission, to be appointed by the Commission as its representative at the first regular County Commission meeting each year. In addition, one commissioner shall represent county emergency services, one shall represent the travel and tourism industry, one shall represent the Board of Education, and one commissioner shall be appointed as an "at large" representative.

Section 2

Terms of Original Appointments. The first members of the Parks & Recreation Commission appointed by the County Commission shall serve respectively for terms of one (1) year, two (2) years and three (3) years, divided equally or as nearly equally as possible between terms. Thereafter, members shall be appointed for terms of three (3) years each. Members of the Parks & Recreation Commission shall serve without compensation, but shall be reimbursed for all reasonable and necessary expenses actually incurred in the performance of their official duties.

Section 3

Absences, Vacancies. Any member of the Parks & Recreation Commission who misses three (3), consecutive regular meetings of the Parks & Recreation Commission, and who has not had those absences excused by the President of the Parks & Recreation Commission, shall be considered to have resigned. The President of the Parks & Recreation Commission shall notify the County Commission of this member's resignation and the manner of his or her resignation. The County Commission may then name a replacement to fill the remainder of the term.

ARTICLE IV: Officers, Meeting, Quorum

Section 1

Officers. At its first meeting of the year, the Summers County Parks & Recreation Commission shall elect from its members a President, Vice-President and Secretary.

Section 2

Meetings. The president of the Summers County Parks & Recreation Commission shall fix the time and place for holding regular meetings, but it shall meet at least once in the months of January, April, July and October. All regular meetings shall be general meetings for the consideration of any and all matters which may properly come before the Commission. Special meetings of the Commission may be called by the president or by two members upon written request to the secretary. The secretary shall send to all the members, at least two days in advance of a special meeting, a written notice setting forth the time and place of the special meeting and the matters to be considered at such special meeting. Written notice of a special meeting is not required if the time of the special meeting has been fixed in a regular meeting, or if all the members are present at the special meeting.

Section 3

Quorums. In accordance with West Virginia Code Chapter 7, Article 11, Section 1, et seq, a quorum shall be a simple majority of the members (6) for the transaction of business in both regular and special meetings.


This ordinance shall become effective on and after passage and upon adoption by the Summers County Commission.

It is now ordered that the aforesaid Ordinance be, and is hereby approved and adopted by the County Commission of Summers County, West Virginia.

Dated this 6th day of February, 2012.


Jerry E. Berry
President


Bill Lightner
Commissioner


Jack David Woodrum
Commissioner

ATTEST:


Mary E. Merritt
County Clerk