

BYLAWS  
of the  
HARRISON COUNTY PARKS AND RECREATION ADVISORY BOARD

ARTICLE I – PURPOSE

Section 1. MISSION STATEMENT. We believe that recreation has a place of importance in a wholesome life and is significant in broadening the horizons of life. Therefore, the Harrison County Parks and Recreation Advisory Board recognizes and accepts its responsibility to better the social, moral and physical environments while enhancing life's satisfactions through recreational opportunities.

With this in mind, the purpose of the Harrison County Parks and Recreation Advisory Board is to establish, improve, develop, administer, operate and maintain a county public parks and recreation system which provides participation opportunities for all Harrison County citizens. This philosophy will be pursued in a professional manner and quality, always mindful of the public trust that this Advisory Board has been given.

It is the purpose of this Advisory Board to:

1. Plan for the present and future recreational needs for Harrison County citizens.
2. Cooperate and coordinate with other Human Service Agencies and private enterprise to provide for recreational needs in programming and facility use.
3. Develop and seek funding for indoor and outdoor recreation facilities on the community, countywide and regional levels.
4. Promote a wide range of programs that will contribute to the meaningful use of leisure time.
5. Provide leadership designed to show how the use of recreation can be a major force in the enrichment of personality, creativity and physical vitality.
6. Administer to the special developmental needs of children through summer playground programs, sports leagues and instructional programs.
7. Maintain an office and professional staff to administer the policies of the Advisory Board and serve as a resource to the citizens.

Section 2. ENACTING CLAUSE AND RULES. The Advisory Board shall determine and establish policy for the implementation of such purpose. The Advisory Board shall operate under the authority granted to it under the provisions of Article Eleven, Chapter Seven of the Code of West Virginia, One Thousand Nine Hundred Thirty-one, as heretofore and hereafter amended, and according to these Bylaws.

## ARTICLE II – OFFICES

Section 1. PRINCIPAL OFFICE. The principal office of this public corporation shall be located at the Harrison County Recreation Complex, 43 Recreation Drive, Clarksburg, Harrison County, West Virginia.

Section 2. OTHER OFFICES. The Advisory Board may have other offices, within Harrison County, West Virginia, at such place or places as the Advisory Board may designate from time to time or as the business of the Advisory Board may so require.

## ARTICLE III – MEETINGS OF ADVISORY BOARD

Section 1. ANNUAL MEETING. The annual meeting of the Harrison County Parks and Recreation Advisory Board shall be held at 8:00am. on the 3rd Tuesday of September of each year, beginning with the year 2007, for the purpose of electing officers and for the transaction of such other business as may come before the meeting. With the written consent of a majority of the members of the Advisory Board, and with notice to the other members of the Advisory Board, the day designated for the annual meeting may be changed to a more convenient date.

Section 2. REGULAR MEETINGS. Regular meetings of the Advisory Board shall be held on the third Tuesday of each month at 8:00am, except that during the months of August and December, no regular meetings shall be held. The annual meeting held in September of each year shall constitute the regular meeting for the month of September.

Section 3. MEETING ATTENDANCE. Absences from three consecutive regular meetings of the Advisory Board, unless excused by vote of the Advisory Board shall automatically drop the member and another shall be appointed to fill the unexpired term.

Section 4. SPECIAL MEETINGS. Special meetings of the Advisory Board, for any purpose or purposes, may be called by the President or by two members upon written request to the secretary. The secretary shall send to all members at least two days in advance of a special meeting, a written notice fixing the time and place of the 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 members are present at the special meeting.

Section 5. QUORUM. A majority of the members of the Advisory Board shall constitute a quorum for the transaction of business at a meeting of the Advisory Board. If less than a majority of the members of the Advisory Board are represented at a meeting, the member or members may adjourn the meeting from time to time until a quorum can be obtained. At any such adjourned meeting, at which a quorum may be present, any business may be transacted which might have been transacted at the original meeting.

Section 6. ORDER OF BUSINESS. The following order of business shall be observed at all regular meetings of the Advisory Board, except that such order may be changed by the President with the consent of the majority of the members of the Advisory Board present:

- Call to Order
- Roll Call
- Approval of Minutes of Preceding Meeting
- Correspondence
- Treasurers Report
- Report of Director of Parks and Recreation
- Old Business
- New Business
- Announcements
- Adjournment

Section 7. CONDUCT OF MEETINGS. "Roberts Rules of Order," as revised, shall govern the conduct of all meetings of the Advisory Board.

#### ARTICLE IV – MEMBERS OF THE ADVISORY BOARD

Section 1. DUTIES OF ADVISORY BOARDERS. Each member of the Advisory Board shall: (a) support the purpose of the Advisory Board, as set forth in Article I of these Bylaws, to the best of his ability; (b) attend all meetings of the Advisory Board; (c) serve on committees as requested by the President; and (d) abstain from voting on any matter in which he shall have a direct or indirect financial interest, and explain such interest prior to the vote being taken on any such matter, in order that the reason that such member abstained from voting may be noted in the minutes.

Section 2. MEMBERSHIP. The affairs and business of this Advisory Board shall be managed by a Board of eleven (11) Advisory Boarders, appointed by the County Commission of Harrison County, all of whom must be residents of and landowners in Harrison County, West Virginia. One shall be a member of the Harrison County Commission. The other ten (10) shall be selected with one representative from each Harrison Counties magisterial district with the remainder being chosen at large.

Section 3. TERM OF OFFICE. The term of office of each of the Advisory Boarders shall be for three (3) years, provided that the County Court in appointing the members of the first Advisory Board shall appoint three (3) members for a term of one (1) year;

four (4) members for a term of two (2) years and four (4) members for a term of three (3) years.

Section 4. OATH OF MEMBERS. After appointment the members of the Advisory Board shall qualify by taking and filing with the Clerk of the County Commission of Harrison County, West Virginia, the oath prescribed by law for public officials.

## ARTICLE V – OFFICERS

Section 1. NUMBER OF OFFICERS. The officers of this public corporation shall be a President, a Vice President and a Secretary. The President and Vice President shall be members of the Advisory Board, but the Secretary need not be a member of the Advisory Board. The officers shall be elected at each annual meeting, for a one-year term. Any officer may serve any number of successive terms.

Section 2. ELECTION. All officers shall be elected by the Advisory Board, and each officer elected shall hold office until his successor shall have been duly elected and qualified, except that death or removal as a member of the Advisory Board or resignation or termination of employment by the Advisory Board of a person elected Secretary who is not a member of the Advisory Board shall automatically vacate the office in question.

Section 3. PRESIDENT. The President of the Advisory Board, when present, shall preside at all meetings of the Advisory Board. The President shall be ex-officio a member of all committees. He may sign, on behalf of the Advisory Board, all contracts or other instruments, which the Advisory Board has authorized, to execute, except in cases where the signing and execution shall be expressly delegated by the Advisory Board to some other officer or agent of the Advisory Board.

Section 4. VICE PRESIDENT. The Vice President of the Advisory Board shall assume the duties of the President in his absence or inability to serve.

Section 5. SECRETARY. The Secretary shall (a) keep the minutes of the Advisory Board meetings in one or more books provided for that purpose; (b) see that all notices are duly given in accordance with the provisions of these Bylaws; (c) read all official communications to the Advisory Board and write letters as directed by the Advisory Board; (d) unless otherwise provided by the Advisory Board, be custodian of the corporate records and seal of the Advisory Board and see that the seal of the Advisory Board is affixed to all documents, the execution of which on behalf of the Advisory Board under its seal is duly authorized or is required by law; (e) certify all documents, including minutes, as required by law; (f) see that the records of the Advisory Board and the official minute book are properly filed in the office of the Advisory Board; and (g) in general, perform all duties incident to the office of Secretary and such other

duties as the Advisory Board may assign to him. In the event of the absence or inability to serve of the Secretary, the Advisory Board may appoint a Secretary pro tempore.

Section 6. PRESIDENT PRO TEMPORE. In the event of the absence or inability to preside of both the President and Vice President at a Advisory Board meeting, the President may appoint a President pro tempore.

## ARTICLE VI – PERSONNEL

Section 1. DIRECTOR OF PARKS AND RECREATION. The Advisory Board may employ a Director of Parks and Recreation to carry out its policies. The Director of Parks and Recreation may also be elected Secretary of the Advisory Board. The Director of Parks and Recreation, under the general supervision of the Advisory Board, shall (a) be responsible for the execution of the policies of the Advisory Board in the establishing, improving, developing, administering, operating and maintaining a public parks and recreation system and public recreation facilities for Harrison County, West Virginia; (b) serve as the administrative officer of the Advisory Board; (c) have full authority for the hiring, direction and discharge of all Advisory Board personnel, with the exception of the Advisory Board's legal counsel and auditor; (d) prepare a budget for approval of the Advisory Board; (3) execute the budget and direct the expenditure of all the funds of the Advisory Board and the collection of all receipts of the Advisory Board; (f) prepare all reports requested by the Advisory Board; (g) advise the Advisory Board and recommend policy in keeping with the purpose of the Advisory Board; (h) attend all Advisory Board meetings and serve, as an ex-officio member of all committees; and (i) in general, perform all duties incident to the position of Director of Parks and Recreation and such other duties as the Advisory Board may assign him.

Section 2. DIRECTOR OF PARK POLICE. The Director of Parks and Recreation shall serve as Director of Park Police. The Director of Park Police shall have general supervision over the Park Police and the Chief of Park Police shall report directly to the Director of Park Police. The Director of Park Police may appoint, subject to ratification by the Advisory Board, a Chief of Park Police and such other park policemen as deemed necessary to enforce the rules and regulations of the Advisory Board, to protect and preserve all properties and facilities under the control of the Advisory Board and to preserve law and order in connection therewith. The Director of Park Police may suspend or discharge the Chief of Park Police or any park policeman.

Section 3. LEGAL COUNSEL. The Advisory Board may employ legal counsel, who shall be authorized to practice law in the State of West Virginia, to represent the Advisory Board in all matters. Such legal counsel shall attend all Advisory Board meetings as required and shall render advice to the Advisory Board and the Director of Parks and Recreation in the performance of their duties.

Section 4. AUDITOR. The Advisory Board may employ an auditor who shall be authorized to practice accounting in the state of West Virginia. The auditor shall (a) prepare periodic reports of all financial operations of the Advisory Board; (b) work in

cooperation with the Director of Parks and Recreation in the performance of his duties; and (c) submit an annual audit to the County and such other reports as required by law.

## ARTICLE VII – CONTRACTS

Section 1. CONTRACTS. The Advisory Board may authorize any officer or officers, agent or agents, to enter into any contract or execute and deliver any instrument and to affix the corporate seal thereto, in the name of and on behalf of the Advisory Board and such authority may be general or confined to specific matters.

## ARTICLE VIII – SEAL

The Advisory Board shall provide a corporate seal, which shall be circular in form and shall have inscribed thereon the name of the corporation.

## ARTICLE IX – WAIVER OF NOTICE

Whenever any notice is required to be given under the provisions of these Bylaws or under the law of West Virginia, a waiver thereof in writing, signed by the person or persons entitled to such notice, whether before or after the time stated therein, shall be deemed equivalent to the giving of such notice.

## ARTICLE X – AMENDMENTS

These Bylaws may be amended in total or in part at any regular meeting of the Advisory Board by a majority vote of the members of the Advisory Board; provided, that said amendment to the Bylaws must have been presented in writing at a previous meeting of the Advisory Board at least thirty days in advance of the date of the regular meeting at which the amendment is to be voted upon.