

BYLAWS
of the
HARRISON COUNTY PARKS AND RECREATION COMMISSION

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 Commission 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 Commission 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 Commission has been given.

It is the purpose of this Commission 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 Commission and serve as a resource to the citizens.

Section 2. **ENACTING CLAUSE AND RULES.** The Commission shall determine and establish policy for the implementation of such purpose. The Commission 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 Commission 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 Commission may so require.

ARTICLE III - MEETINGS OF THE PARKS COMMISSION

Section 1. ANNUAL MEETING. The annual meeting of the Harrison County Parks and Recreation Commission shall be held at 9:00am. on the 3rd Friday 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 Commission, and with notice to the other members of the Commission, the day designated for the annual meeting may be changed to a more convenient date.

Section 2. REGULAR MEETINGS. Regular meetings of the Commission shall be held on the third Friday of each month at 9:00am, 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 Commission, unless excused by vote of the Commission shall automatically drop the member and another shall be appointed to fill the unexpired term.

Section 4. SPECIAL MEETINGS. Special meetings of the Commission, 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 Commission shall constitute a quorum for the transaction of business at a meeting of the Commission. If less than a majority of the members of the Commission 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 Commission, except that such order may be changed by the President with the consent of the majority of the members of the Commission 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 Commission.

ARTICLE IV – MEMBERS OF THE COMMISSION

Section 1. DUTIES OF COMMISSION MEMBERS. Each member of the Commission shall: (a) support the purpose of the Commission, as set forth in Article I of these Bylaws, to the best of his ability; (b) attend all meetings of the Commission; (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 Commission shall be managed by a Board of eleven (11) Members, 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 Commission shall be for three (3) years, provided that the County Court in appointing the members of the first Commission 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 Commission 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 Commission, but the Secretary need not be a member of the Commission. 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 Commission, and each officer elected shall hold office until his/her successor shall have been duly elected and qualified, except that death or removal as a member of the Commission or resignation or termination of employment by the Commission of a person elected Secretary who is not a member of the Commission shall automatically vacate the office in question.

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

Section 4. VICE PRESIDENT. The Vice President of the Commission 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 Commission 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 Commission and write letters as directed by the Commission; (d) unless otherwise provided by the Commission, be custodian of the corporate records and seal of the Commission and see that the seal of the Commission is affixed to all documents, the execution of which on behalf of the Commission 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 Commission and the official minute book are properly filed in the office of the Commission; and (g) in general, perform all duties incident to the office of Secretary and such other duties as the Commission may assign to him. In the event of the absence or inability to serve of the Secretary, the Commission 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 Commission meeting, the President may appoint a President pro tempore.

ARTICLE VI – PERSONNEL

Section 1. DIRECTOR OF PARKS AND RECREATION. The Commission 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 Commission. The Director of Parks and Recreation, under the general supervision of the Commission, shall (a) be responsible for the execution of the policies of the Commission 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 Commission; (c) have full authority for the hiring, direction and discharge of all Commission personnel, with the exception of the Commission's legal counsel and auditor; (d) prepare a budget for approval of the Commission; (3) execute the budget and direct the expenditure of all the funds of the Commission and the collection of all receipts of the Commission; (f) prepare all reports requested by the Commission; (g) advise the Commission and recommend policy in keeping with the purpose of the Commission; (h) attend all Commission 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 Commission 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 Commission, a Chief of Park Police and such other park policemen as deemed necessary to enforce the rules and regulations of the Commission, to protect and preserve all properties and facilities under the control of the Commission 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 Commission may employ legal counsel, who shall be authorized to practice law in the State of West Virginia, to represent the Commission in all matters. Such legal counsel shall attend all Commission meetings as required and shall render advice to the Commission and the Director of Parks and Recreation in the performance of their duties.

Section 4. AUDITOR. The Commission 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 Commission; (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 Commission 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 Commission and such authority may be general or confined to specific matters.

ARTICLE VIII – SEAL

The Commission 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 Commission by a majority vote of the members of the Commission; provided, that said amendment to the Bylaws must have been presented in writing at a previous meeting of the Commission at least thirty days in advance of the date of the regular meeting at which the amendment is to be voted upon.