

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1991

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HOUSE BILL 215

Short Title: Cumberland Memorial Auditorium Comm.

(Local)

Sponsors: Representatives Beard; Hurley, Jeralds, McAllister, and Warner.

Referred to: Local and Regional Government I.

March 6, 1991

A BILL TO BE ENTITLED

AN ACT TO MODIFY THE STATUTES GOVERNING THE CUMBERLAND
MEMORIAL AUDITORIUM COMMISSION.

Whereas, the General Assembly, on April 28, 1965, created the Cumberland Memorial Auditorium Commission to provide the most efficient management and beneficial use and enjoyment of the Cumberland County Auditorium and its facilities; and

Whereas, there is a need to change the name, organization, and functions of the Cumberland Memorial Auditorium Commission; Now, therefore, The General Assembly of North Carolina enacts:

Section 1. Section 1(a) of Chapter 360 of the 1965 Session Laws reads as rewritten:

"(a) ~~Cumberland Auditorium-County Civic Center~~ Commission. There is hereby created in Cumberland County a commission to be known as the Cumberland Memorial Auditorium-County Civic Center Commission which shall have the powers and duties hereinafter set forth."

Sec. 2. Section 1(b) of Chapter 360 of the 1965 Session Laws reads as rewritten:

"(b) Membership; Terms of Office. ~~The Commission shall consist of 15 members who shall be residents of Cumberland County appointed by the Board of County Commissioners of Cumberland County immediately after the date when this act becomes effective.~~ The Commission shall consist of 16 members. Fifteen members shall be residents of Cumberland County and shall be appointed by the Board of County Commissioners. The sixteenth member shall be the County Manager of Cumberland

1 County who shall serve in an ex officio and nonvoting capacity and without limit as to
2 term.

- 3 (1) Five of the first members of the Commission shall be appointed for a
4 term of one year, five for a term of two years, and five for a term of
5 three years. Upon the expiration of each of the terms, the Board of
6 County Commissioners shall appoint successor members of the
7 Commission who shall each serve for terms of three years and until
8 their successors are appointed for like terms. Any member of the
9 Commission may be reappointed for successive terms.
- 10 (2) Vacancies occurring on the Commission otherwise than by expiration
11 of a term shall be filled by appointment for the unexpired term of the
12 vacant office.
- 13 (3) From its membership the Commission shall at its first meeting, and
14 annually thereafter, elect a ~~chairman, vice chairman, and secretary.~~
15 Chairman, Vice-Chairman, and Secretary. These officers shall hold
16 office for one year or until their successors are duly elected. The
17 ~~Treasurer of Cumberland County shall by virtue of its office also be the~~
18 ~~treasurer of the Commission. All funds received or handled by the~~
19 ~~Commission shall be subject to the control of the treasurer who shall~~
20 ~~prescribe the way and manner all such funds shall be collected, held,~~
21 ~~disbursed and accounted for. A yearly budget shall be prepared and~~
22 ~~submitted to the County Board of Commissioners for approval along with~~
23 ~~any request for an operation attached levy or any request for public funds to~~
24 ~~be used in the operation of the auditorium facilities. The Board of County~~
25 ~~Commissioners shall select the auditor of the Commission's accounts.~~
- 26 (4) The officers elected together with ~~one other member~~ two other members
27 of the Commission, who will also be elected at the first meeting of the
28 Commission and annually thereafter, shall constitute the Executive
29 Committee of the Commission. ~~In order to provide for the most efficient~~
30 ~~operation of the business of the Commission, the Executive Committee shall~~
31 ~~have sole power and authority over the management and operation of the~~
32 ~~facilities and to conduct the Commission's business within the policies as are~~
33 ~~from time to time adopted by the Commission, and all powers and authority~~
34 ~~not specifically reserved for action of the full Commission under its bylaws~~
35 ~~shall be vested in the Executive Committee.~~ The Executive Committee
36 shall perform those duties and functions specified in the bylaws of the
37 Commission.
- 38 (5) Regular meetings of the Commission shall be held ~~quarterly and~~
39 ~~special monthly.~~ Special meetings may be called by the ~~chairman or~~
40 ~~any two members of the Executive Committee upon 24 hours' written~~
41 ~~notice to the members stating the purpose of the meeting.~~ Chairman or
42 a majority of the voting members of the Commission. Attendance of
43 ~~not less than eight members shall constitute a quorum for the purpose~~
44 ~~of transaction of business at any regular or special meeting.~~

- 1 (6) The Commission may adopt, and from time to time amend, bylaws to
2 implement its organization and provide for the orderly conduct of its
3 affairs.
- 4 (7) All funds received or handled by the Commission shall be subject to
5 the control of the Finance Officer of Cumberland County who shall
6 prescribe the way and manner these funds shall be collected, held,
7 disbursed and accounted for. The Board of County Commissioners
8 shall select the Auditor of the Commission's accounts.
- 9 (8) The Commission shall prepare an annual budget and submit it to the
10 Board of County Commissioners for approval, in a format prescribed
11 by the County Manager, along with any requests for capital
12 improvements or any requests for public funds to be used in the
13 construction or operation of the Civic Center facilities."
- 14 Sec. 3. This act is effective upon ratification.