



1           The Legislature finds and declares that:

2           (1) The many and varied outdoor recreational activities in  
3 Tucker County, West Virginia, have long been an important element  
4 in a mature tourism industry for this state.

5           (2) The two great state parks at Blackwater Falls and Canaan  
6 Valley, the Canaan Valley National Wildlife Refuge, the Blackwater  
7 Canyon, the Monongahela National Forest making up fifty percent of  
8 land in Tucker County, and the towns of Parsons, Thomas, Davis,  
9 Hambleton and Hendricks, are sources of pride to all West  
10 Virginians and mainstays of the important tourism industry in this  
11 state.

12           (3) Tucker County, West Virginia, is the home to a growing  
13 number of artists, artisans and patrons of the performing arts.  
14 The burgeoning cultural tourism opportunities offered by the  
15 performing arts compliment and enhance the outdoor recreational  
16 activities already existing in the area.

17           (4) There is strong community-based support in Tucker County  
18 to encourage, develop and enhance the various aspects of the  
19 cultural tourism component of the regional economy. Opportunities  
20 exist to create, expand and compliment areas of cultural,  
21 historical, archeological and industrial heritage and educational  
22 interest in Tucker County.

23           (5) The creation of additional employment and investment  
24 opportunities for the present and future residents of Tucker County

1 is a desirable goal.

2 **§2. Tucker County Cultural District Authority established.**

3 (a) The Tucker County Cultural District Authority is  
4 established.

5 (b) The Tucker County Cultural District Authority consists of  
6 seven members, all of whom must be citizens and residents of Tucker  
7 County. One of the members shall be a member of the Tucker County  
8 commission, and six members shall be laypersons with a demonstrated  
9 interest in cultural tourism in Tucker County, recommended by the  
10 Tucker County Commission and appointed by the Governor.

11 (c) Initial appointments shall be staggered for one year, two  
12 years and three years, divided equally or as nearly as possible  
13 between these terms. After that, terms of appointment shall be for  
14 four years. Lay members may be appointed for successive terms.  
15 All members, unless otherwise removed, serve until their terms  
16 expire or successors have been appointed. A vacancy caused by the  
17 death, resignation or removal of a member prior to the expiration  
18 of his or her term shall be filled only for the remainder of the  
19 unexpired term.

20 (d) The authority shall elect from its membership a president,  
21 vice president, secretary and treasurer.

22 (e) The authority shall create bylaws that establish the  
23 duties and obligations of the officers and members, including those  
24 authorized by this act.

1 (f) No member of the authority may be paid for being a member,  
2 nor may any member be reimbursed for any expense related to his or  
3 her membership or travel for meetings.

4 **§3. Meetings.**

5 (a) The authority shall meet at a time and place designated by  
6 the president at least quarterly or as otherwise determined by the  
7 president. Additional meetings may be held when called by the  
8 president or when requested in writing by at least three members of  
9 the authority.

10 (b) Four members present at a meeting of the authority is a  
11 quorum.

12 (c) Each member of the authority is entitled to one vote. A  
13 member may assign his or her vote by written proxy.

14 (d) Robert's Rules of Order is the parliamentary guide for the  
15 conduct of all meetings.

16 **§4. General duties and powers.**

17 (a) The Tucker County Cultural District Authority is  
18 authorized to:

19 (1) Plan and execute an ongoing and continuous program for the  
20 development and enhancement of artistic, cultural, historical and  
21 recreational attractions that will promote culture, education and  
22 tourism in Tucker County;

23 (2) Plan and execute a program for the restoration and  
24 development of the Cottrill's Opera House in Thomas, West Virginia,

1 so as to preserve and enhance the building as a significant  
2 cultural, historical and educational source of importance in this  
3 state;

4 (3) Complete a comprehensive plan with a cost-benefit analysis  
5 for the entire cultural district in Tucker County, including, but  
6 not limited to, a large venue indoor/outdoor multiple-use  
7 performance hall;

8 (4) Review all available funding sources and direct the  
9 president to apply for any grants, allocations, gifts or other  
10 sources of funding that may be used to further the goals of the  
11 authority;

12 (5) Within the limit of available funds, from any source,  
13 whether public or private:

14 (A) Apply the initial public funds received to the completion  
15 of the Cottrill's Opera House in Thomas, West Virginia, as the  
16 first and foremost priority of the authority;

17 (B) Award grants and stipends for the encouragement of the  
18 arts in the public schools of Tucker County; and

19 (C) Award grants and stipends to individuals, not-for-profit  
20 entities and other cooperatives for projects that further the  
21 development of the arts in Tucker County;

22 (6) Perform other functions and employ individuals as  
23 necessary to carry out the goals and purposes of the authority as  
24 specified in this act;

1 (7) Own or operate, individually or in conjunction with  
2 another public agency or private person, firm or corporation,  
3 facilities and equipment considered necessary or convenient for the  
4 implementation of the duties and goals of the authority; and

5 (8) Report to the Tucker County commission on at least an  
6 annual basis, or as requested by the commission, as to the progress  
7 of any plan, program or objective of the authority.

8 (b) The president of the authority, with the advice and  
9 written consent or authorization of the authority, is authorized  
10 to:

11 (1) Apply for grants and other endowments in support of the  
12 artistic, historical or educational programs in the cultural  
13 district and the goals and objectives of the authority;

14 (2) Receive and disburse funds from governmental and  
15 nongovernmental sources in furtherance of the goals and objectives  
16 of the authority;

17 (3) Set up financial accounts as required and submit financial  
18 reports quarterly to the authority;

19 (4) Make and execute contracts as authorized by the authority;  
20 and

21 (5) Perform other duties as authorized by the authority that  
22 are consistent with the goals and objectives of the authority.

23 **§5. Cooperation of state agencies.**

24 (a) All state and local governmental personnel and agencies

1 shall cooperate to the fullest extent with the authority to  
2 accomplish any plan, project or program developed by the authority.  
3 Those agencies shall assist in the effective development of  
4 cultural, historical, education and recreational activities in  
5 Tucker County that will result in the area becoming a significant  
6 area for tourism, culture and education.

7 (b) Tucker County, the towns of Davis, Hambleton, Hendricks,  
8 Parsons and Thomas and any other municipality in the county, and  
9 any board, commission, authority, agency or other office created  
10 under authority thereof, may, in its discretion, engage in any  
11 activity or undertaking designed to assist the authority in the  
12 proper and effective development of the goals, plans, programs or  
13 projects of the authority consistent with the guidelines provided  
14 in this act.

---

(NOTE: The purpose of this bill is to establish the Tucker  
County Cultural District Authority, authorized to promote the  
cultural, artistic, historical, educational and recreational  
opportunities available in Tucker County and thereby increase  
tourism and economic opportunities in the area.

This act is new; therefore, strike-throughs and underscoring  
have been omitted.)