

NORTH CAROLINA GENERAL ASSEMBLY
1961 SESSION

CHAPTER 141
SENATE BILL 113

AN ACT TO AUTHORIZE THE BOARD OF COUNTY COMMISSIONERS OF
STANLY COUNTY TO MAKE APPROPRIATIONS FOR INDUSTRIAL
DEVELOPMENT PURPOSES AND TO CREATE AND FIX THE POWERS OF
AN INDUSTRIAL DEVELOPMENT COMMISSION FOR STANLY COUNTY.

The General Assembly of North Carolina do enact:

Section 1. The Board of County Commissioners of Stanly County is hereby authorized to create a commission to be known as the "Industrial Development Commission" for Stanly County for the purposes of aiding and encouraging the location in Stanly County of manufacturing, industrial, and commercial plants and enterprises, of aiding and encouraging the agricultural development of Stanly County, and for such other purposes as will, in the discretion of the County Commissioners, increase the population, taxable property, agricultural and business industries, and the general welfare of Stanly County.

Sec. 2. Such commission shall be composed of ten members to be appointed by the Board of County Commissioners for Stanly County. Two members shall be appointed who reside in the northern section of Stanly County, two who reside in the southern section of Stanly County, two who reside in the eastern section of Stanly County, two who reside in the western section of Stanly County, and two who reside in the central section of Stanly County. In making said appointments, the board of commissioners shall maintain an equal balance insofar as political party affiliation is concerned. In the event a vacancy occurs in the membership of such commission because of death, resignation, or otherwise, the board of county commissioners shall fill such vacancy by appointing a member from the same section of the county and with the same political affiliation as his predecessor. There is hereby imposed on such member of the board of county commissioners as said board may designate the duty to serve as chairman of the Industrial Development Commission and such commissioner, acting as chairman, shall be entitled to vote only in case of a tie. In the event a vacancy occurs in the office of such commissioner, the board of county commissioners shall designate another member of said board to perform such duties.

Sec. 3. The terms of office of the members of the commission, with the exception of the chairman of the commission, shall be two years, with the exception of the first two years' existence of the commission, in which five members shall be appointed to serve for a period of one year. In appointing the initial members of the commission, the board of county commissioners shall designate those who are

appointed for a period of two years and those who are appointed for a period of one year. The appointments shall be made so as to maintain at all times an equal balance of membership insofar as political party affiliation is concerned. Upon the expiration of the term of office of those members who are appointed for one year, the board of commissioners shall appoint their successors for a term of two years. All appointees shall serve until their successors have been appointed and qualified. Any member shall be eligible to reappointment. The board of commissioners shall designate the date on which the term of office of the initial members shall commence.

Sec. 4. The chairman of the Industrial Development Commission shall serve for four years corresponding in dates with said person's term of office as a county commissioner, except that initially said chairman shall serve until the first Monday in December, 1962. Said chairman shall be eligible to re-appointment provided he is re-elected as a member of the board of county commissioners.

Sec. 5. At the time of the holding of the first meeting of the Industrial Development Commission, the members shall, by a majority vote, name and select from their membership a vice-chairman and a secretary, and shall draw up and ratify their own bylaws and procedural rules and policies, subject to the approval of the board of county commissioners. The County Accountant for Stanly County shall ex officio become the treasurer of the commission, and all disbursements shall be made in the same way and manner as provided by law for disbursing public funds of Stanly County, and no disbursements shall be made except upon approval by the board of county commissioners. The Industrial Commission shall have authority to employ such personnel as it may deem necessary and within the budget for said commission to be prescribed by the board of county commissioners, and all such personnel shall be considered for all purposes employees of Stanly County.

Sec. 6. Notwithstanding any other provisions of North Carolina General Statutes 105-213 relating to the purposes for which intangibles tax allocations may be expended by a county, the Board of County Commissioners of Stanly County is hereby authorized, in its discretion, to expend such portion of intangibles tax funds as are distributed to it pursuant to General Statutes 105-213, as it may deem expedient and wise, for the purposes for which the Industrial Development Commission for Stanly County is created. The appropriations and expenditures hereby authorized are hereby declared to be for a public purpose and the expenditure of amounts for the purposes aforesaid are hereby declared to be in the public interest and promotive of the public welfare.

Sec. 7. If any provision of this Act or the application thereof to any person or circumstances is held invalid, such invalidity shall not affect other provisions or applications of the Act which can be given effect without the invalid provision or application, and to this end the provisions of this Act are declared to be severable.

Sec. 8. All laws and clauses of laws in conflict with this Act are hereby repealed.

Sec. 9. This Act shall become effective upon its ratification.

In the General Assembly read three times and ratified, this the 31st day of March, 1961.