

NORTH CAROLINA GENERAL ASSEMBLY
1961 SESSION

CHAPTER 801
HOUSE BILL 875

AN ACT TO AUTHORIZE THE CITY COUNCIL OF THE CITY OF KINSTON AND THE BOARD OF COUNTY COMMISSIONERS OF LENOIR COUNTY TO CREATE AND FIX THE POWERS OF AN INDUSTRIAL-AGRICULTURAL DEVELOPMENT COMMISSION AND TO APPROPRIATE FUNDS FOR THE EXPENSES THEREOF.

The General Assembly of North Carolina do enact:

Section 1. That the City Council of the City of Kinston in the County of Lenoir and the board of commissioners of said county be and they are hereby authorized and empowered, by joint resolution of said governing bodies, to create a commission to be known as Industrial-Agricultural Development Commission of Lenoir County. Said commission shall consist of six members to be elected by the Board of Commissioners of Lenoir County and the City Council of the City of Kinston by a majority vote of the members of each of said governing bodies. Two of the members shall each be elected for a term of two years, two others shall each be elected for a term of three years, and the remaining two members shall each be elected for a term of four years. At the end of each respective term the successor to the member whose term is expiring shall be elected for a term of four years so as to achieve staggered terms and so that not more than two terms shall expire during any current year. Any vacancy in the membership of said commission arising by resignation, death, physical or mental incapacity to perform the duties of the position, or by expiration of term shall be filled by the said governing bodies in the same manner as the original appointments. Nothing herein contained shall be deemed to disqualify any member of the board of commissioners of said county or any member of the city council of said city, or any other official of said county or city, from membership upon the said commission, or disqualify any member of the commission from re-electing to succeed himself.

Sec. 2. After the original membership of said commission shall have been completed as hereinbefore provided and at the time of the holding of the first meeting the commission shall by a majority vote name and select from its membership its own chairman, vice-chairman and secretary-treasurer and shall draw up and ratify its own bylaws and rules of procedure as well as such statement of policy as in the discretion of the commission should be stated and issued at that time. The commission member who shall be named secretary-treasurer shall in addition to his duties as secretary have supervision of all funds administered by the commission in any way whatsoever; shall sign all checks, drafts, bills of exchange or any and all other negotiable instruments

which shall properly be issued under his supervision; and shall furnish such surety bond in such amount as shall be required by the commission. A depository shall be designated by the commission for funds appropriated or otherwise made available for its use, and all checks or drafts issued in disbursement of the same shall be countersigned by the said chairman or, in his absence or disability, by the vice-chairman. No money, property or funds of the commission shall be used directly or indirectly as a subsidy or investment in capital stock or capital assets in any business, industry or business venture.

Sec. 3. Under the supervision and jurisdiction of said commission there shall be set up a bureau the purpose of which shall be to encourage agricultural development and agricultural and marketing techniques, and new business and industrial development based on either local or foreign capital, to aid and encourage the location of agricultural, marketing and manufacturing enterprises, making industrial surveys and locating industrial plants in Lenoir County, and for the purpose of encouraging agricultural and industrial development in Kinston and Lenoir County in any and all ways which may be deemed desirable by the commission. The commission shall have charge of the activities of this bureau, full supervision of its activities, and full responsibility for its action, and such jurisdiction shall include the right to employ personnel for the bureau, supervision of its purchase and expense accounts, and administration of responsibility for all funds which shall be turned over to the commission by the county and city authorities and any and all other funds which may come into its hands, The commission shall be empowered to lease, rent, purchase or otherwise obtain suitable quarters and office space for such industrial development bureau, to lease, rent or purchase necessary furniture, fixtures and equipment for its operation, to purchase advertising space in periodicals which may be selected for that purpose, and otherwise to engage in any and all activities which shall in its discretion promote the business, industrial, agricultural and general economic welfare of Lenoir County, as well as full power to exercise any and all proper authority in connection with its duties not expressly provided for herein. Said commission shall furnish to the Board of Commissioners of Lenoir County and the City Council of the City of Kinston at least thirty days prior to July 1 a proposed budget for the fiscal year commencing on July 1; and its account shall be subject to audit by the auditor of Lenoir County in the same manner as departments of the county government are audited.

Sec. 4. The Board of Commissioners of Lenoir County and the City Council of the City of Kinston are authorized and empowered from funds on hand derived from sources other than taxation to make appropriations not to exceed thirty thousand dollars (\$30,000.00) annually, one half thereof to be appropriated by each of said governing bodies, to defray the proper expenses of the said commission as provided for herein.

Sec. 5. All laws and clauses of laws in conflict with this Act are hereby repealed.

Sec. 6. This Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 14th day of June, 1961.