

NORTH CAROLINA GENERAL ASSEMBLY  
1979 SESSION

CHAPTER 346  
SENATE BILL 338

AN ACT CREATING THE GRAHAM COUNTY DEVELOPMENT AUTHORITY.

The General Assembly of North Carolina enacts:

**Section 1.** Graham County Development Authority; creation; membership. There is hereby created an economic development authority (hereinafter sometimes referred to as the "Authority"). The official name of the Authority shall be "Graham County Development Authority". It shall be a body corporate and politic. It shall consist of 11 members appointed by the Board of Commissioners of Graham County. The composition of the Authority shall be as follows: one member who shall be the Chairman of the Board of Commissioners of Graham County, one member who shall be the Mayor of Robbinsville, North Carolina, two members who shall be representatives of industry, two members who shall be representatives of banks located in Graham County, one who shall represent the real estate industry, one who shall represent agriculture and one who shall represent the tourist industry. The other members shall be selected at large.

Members of the Authority shall be residents of Graham County, North Carolina. The following persons shall be the initial members of the Authority:

Charles L. Fuller	J. Smith Howell
Doyle R. Brock	David E. Crowe
James A. Wall	Berniece A. Lloyd
Thomas P. Garden	Dale W. Cable
Roger Hyatt	Frank Rodgers
Eugene McMonigle	

All appointments shall be for a term of three years, except for the Chairman of the Board of Commissioners of Graham County and the Mayor of Robbinsville, who shall serve ex officio. As to the initial members, the following shall serve one-year terms: Roger Hyatt, Berniece A. Lloyd and Dale W. Cable; the following shall serve two-year terms: Doyle R. Brock, J. Smith Howell and David E. Crowe; and the following shall serve three-year terms: Charles L. Fuller, James A. Wall and Thomas P. Garden. The date from which terms shall run shall be the date of enactment of this act. Appointments to fill vacancies occurring during the regular terms shall be made by the board of commissioners. The appointments of all members shall run until their successors are appointed and qualified.

The members of the Authority shall elect a chairman and a vice-chairman from the membership of the Authority. They shall also elect a secretary who need not be a member of the Authority.

A majority of the members shall constitute a quorum for the transaction of business and an affirmative vote of the majority of the members present at a meeting of the Authority shall be required to constitute action of the Authority.

**Sec. 2.** Purpose of the Authority. The purpose of the Authority shall be to stimulate, foster, coordinate, plan, improve and encourage economic development in order to relieve poverty, dependency, chronic unemployment, underemployment and to promote the improvement and development of the economy of Graham County.

**Sec. 3.** General powers of the Authority. The general powers of the Authority shall be:

- (1) to sue and be sued;
- (2) to have a seal;
- (3) to make rules and regulations, not inconsistent with this act, for its organization and internal management;
- (4) to employ persons deemed necessary to carry out functions and duties assigned to them by the Authority and to fix their compensation, within the limit of available funds;
- (5) to retain and employ counsel, auditors, engineers and private consultants on an annual salary, contract basis, or otherwise for rendering professional or technical services and advice;
- (6) to acquire, through gifts, purchase or otherwise, to maintain and to operate such facilities, including real property and improvements, as may be necessary or convenient for the operations of the Authority;
- (7) to borrow money as permitted by general law;
- (8) to make or enter into contracts, agreements, deeds, leases, conveyances or other instruments, including contracts and agreements with the United States and the State of North Carolina;
- (9) to acquire, through gifts, purchase or otherwise, and hold securities and other intangible personal property and, specifically, without limitation, to acquire by gifts all or a majority of the shares of the Graham County Railroad Company, a North Carolina corporation, owning the assets associated with the operation of the Graham County Railroad, to hold such shares as shareholder of the Graham County Railroad Company and to cause the Graham County Railroad to be operated, either directly or by leasing its facilities to others, all for the purposes set out in Section 2 above;
- (10) to surrender to the County of Graham any property no longer required by the Authority.

**Sec. 4.** Termination. In the event the existence of the Authority is terminated for any reason, all property and assets of the Authority shall automatically become the property of the County of Graham and the County of Graham shall succeed to all rights, obligations and liabilities of the Authority.

**Sec. 5.** Insofar as the provisions of this act are not consistent with the provisions of any other act or law, public or private, the provisions of this act shall be controlling.

**Sec. 6.** This act shall take effect from and after its ratification.

In the General Assembly read three times and ratified, this the 12th day of April, 1979.