

VIRGINIA ACTS OF ASSEMBLY -- 2018 SESSION

CHAPTER 176

An Act to amend and reenact §§ 15.2-5502 and 15.2-5505 of the Code of Virginia, relating to Tourism Development Authority; LENOWISCO and Cumberland Plateau Planning District Commissions.

[S 383]

Approved March 5, 2018

Be it enacted by the General Assembly of Virginia:

1. That §§ 15.2-5502 and 15.2-5505 of the Code of Virginia are amended and reenacted as follows:

§ 15.2-5502. Directors; qualifications; terms; vacancies; compensation and expenses; quorum; records; certification and distribution of report concerning bond issuance.

The Authority shall be governed by a board of directors in which all powers of the Authority shall be vested and which board shall be composed of the eight chairmen of the local tourism development committees established in § 15.2-5505. The eight directors shall be appointed initially for terms of one, two, three and four years: the representatives of Buchanan and Dickenson Counties being appointed for one-year terms; the representatives of Lee County and the City of Norton being appointed for two-year terms; the representatives of Russell and Scott Counties being appointed for three-year terms; and the representatives of Tazewell and Wise Counties being appointed for four-year terms. Subsequent appointments shall be for terms of four years, except appointments to fill vacancies shall be for the unexpired terms. All terms of office shall be deemed to commence upon the date of the initial appointment to the Authority, and thereafter, in accordance with the provisions of the preceding sentence. If, at the end of any term of office of any director a successor thereto has not been appointed, then the director whose term of office has expired shall continue to hold office until his successor is appointed and qualified. Each director shall, upon appointment or reappointment, before entering upon his duties take and subscribe the oath prescribed by § 49-1.

The Authority shall be governed by a board of directors of 18 representatives in which all powers of the Authority shall be vested and which board shall include eight Tourism Directors representing each county and the City of Norton, which will hold permanent seats on the board. If a Tourism Director position does not exist in a locality, the governing body shall appoint a representative, preferably from the government staff, chamber of commerce, or travel industry to represent the locality on the board of directors. The remaining seats shall be filled preferably by representatives from the travel industry from each of the eight governing localities. Each Tourism Director, working with the tourism committee from the localities, shall provide a slate of nominations to the governing body for selection of one representative, preferably from the tourism industry segment, which may include the chairman of the local tourism committee; a representative from lodging, restaurants, attractions, parks, or outdoor recreation; or a community leader. The board of directors shall create two ex-officio nonvoting board positions for representatives from the Jefferson National Forest Clinch Ranger District Office and Virginia State Parks. Appointed representatives shall serve a two-year term that begins on January 1 and may be reappointed for additional terms with appointments made at the year-end board meeting. The board of directors shall have the authority to appoint nonvoting tourism representatives and to determine additional seats as they deem necessary.

The directors shall elect from their membership a ~~chairman~~ chair, a ~~vice-chairman~~ vice-chair, and from their membership or not, as they desire, a secretary and a treasurer, or a secretary-treasurer, who shall continue to hold such office until their respective successors are elected. The directors shall receive no salary, but the directors may be compensated such amount per regular, special, or committee meeting as may be approved by the appointing authority, not to exceed fifty dollars per meeting, and shall may be reimbursed for necessary traveling and other expenses incurred in the performance of their duties.

The board of directors may remove from the board any appointed member in the event that the board member is absent from any three consecutive board meetings or is absent from any four board meetings within any 12-month period. In either such event, the local governing body shall appoint a successor for the unexpired portion of the term of the member who has been removed.

~~Five~~ Ten members of the board of directors shall constitute a quorum of the board for the purposes of conducting its business and exercising its powers and for all other purposes. No vacancy in the membership of the board shall impair the right of a quorum to exercise all the powers and perform all the duties of the board. The board shall keep detailed minutes of its proceedings, which shall be open to public inspection at all times. It shall keep suitable records of its financial transactions and, unless exempted by § 30-140, it shall arrange to have the records audited annually. Copies of each such audit shall be furnished to the governing bodies of the participating localities and shall be open to public inspection.

§ 15.2-5505. Establishment of local tourism advisory committees.

Each of the participating localities in the LENOWISCO and Cumberland Plateau Planning District Commissions shall establish a local tourism development advisory committee to promote tourism in the participating locality, participate and assist in the planning of the regional Tourism Development Authority, and develop a tourism development destination plan for its participating locality. The local governing body of each participating locality shall appoint five members to serve on its local tourism development committee. The committee shall elect a chairman from its membership, and such chairman shall represent his participating locality by serving as a member of the regional Tourism Development Authority.

The Tourism Director, working with the tourism advisory committee chair, shall provide a slate of recommendations to the local governing body, which shall then appoint five or more appointees representing the travel industry, which includes lodging, restaurants, attractions, outdoor recreation, events or parks, or any community leaders with terms determined by the governing body, and who may be reappointed. The Tourism Director shall work with the chairman of the tourism advisory committee to facilitate regular meetings of the tourism advisory committee.