

Ordinance No. 2022-01

**AN ORDINANCE OF THE FLOYD COUNTY COUNCIL
FOR THE RE-ESTABLISHMENT OF THE FLOYD
COUNTY PARKS AND RECREATION DEPARTMENT AND
AMENDMENT OF ITS ENABLING ORDINANCE, NO. 2012-04**

WHEREAS, on November 13, 2012, the Floyd County Council (the "Council") adopted Ordinance No. 2012-04 establishing the Floyd County, Indiana Parks and Recreation Department; and

WHEREAS, pursuant to I.C. 36-10-3, et seq., the Council desires to update the enabling ordinance establishing the Floyd County Parks and Recreation Department.

THEREFORE BE IT ORDAINED by the Floyd County Council that:

Section 1 Pursuant to the provision of I.C. 36-10-3, the Floyd County Department of Parks and Recreation is established.

Section 2 A park and recreation board (hereinafter, the "Board") shall be composed of the following persons:

- a. One member appointed by the Judge of the Circuit Court who is not a member of the county fiscal or executive body.
- b. Two members appointed by the county executive who are affiliated with different political parties.
- c. Two members appointed by the county fiscal body who are affiliated with different political parties.

Section 3 The terms of initial Board members shall be as follows:

- a. The appointment by the Circuit Court Judge shall be for a one year term;
- b. The appointments by the county commissioners shall be for two and four year terms, respectively.
- c. The appointments by the county council shall be for two and four year terms, respectively.

Currently serving Board members are grandfathered in and their service shall continue pursuant to Ordinance No. 2012-04 until the expiration of their respective terms. As a term expires, each new/successive appointment shall be for a four-year term. All annual terms shall expire on the first Monday in January, but a member shall continue in office until his/her successor is appointed. The appointing authorities shall make initial appointments within ninety (90) days after the creation of the department. If an appointment for any new term is not made by the first Monday in April, the incumbent shall serve another term. If a vacancy on the board occurs, the appointing authority shall appoint a person to serve for the remainder of the unexpired term.

Section 4 At its first regular meeting in each year, the Board shall elect a president and a vice-president. The vice-president shall have authority to act as the president of the Board

during the absence or disability of the president. The Board may select a secretary either from within or without its own membership.

Section 5 A Board member may be removed only for cause, upon specific written charges filed against the member. The charges shall be filed with and heard by the appointing authority, unless the appointing authority is bringing the charges. If the appointing authority is bringing the charges, the unit's fiscal body shall appoint a hearing officer. The person to hear the charges shall fix a date for a public hearing and give public notice at least ten (10) days in advance of the hearing. At the hearing the member is entitled to present evidence and argument and to be represented by counsel.

Section 6 The Board shall have the power to perform all acts necessary to acquire and develop sites and facilities and to conduct such programs as are generally understood to be park and recreation functions. In addition, the Board shall have all the powers and duties listed in I.C.36-10-3, et seq.

Section 7 The Board shall prepare and submit an annual budget in the same manner as other departments of county government as prescribed by the State Board of Accounts. The Board may accept gifts, donation, and subsidies for park and recreation purposes.

Section 8 All meetings of the Board are open to the public. The Board shall fix the time and place of its regular meetings, but it shall meet at least quarterly. Special meetings of the Board may be called by the president or by any two (2) members by written request to the secretary. The secretary shall send to each member, at least two (2) days before a special meeting, a written notice fixing the time, place, and purpose of the meeting. Written notice of a special meeting is not required if the time of the special meeting is fixed at a regular meeting or if all members are present at the special meeting.

Section 9 Board members may receive a salary in an amount fixed by the fiscal body.

Section 10 All other ordinances, resolutions, or parts thereof in conflict with the provisions and intent of this ordinance are hereby repealed.

Section 11 This ordinance shall be in full force and effect from and after its passage, and approval, according to the laws of the State of Indiana.

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Adopted and passed this 10th day of May, 2021.

FLOYD COUNTY, INDIANA COUNTY COUNCIL

Those voting aye: Bral Stovess Aully B

Denise Konkle

Dm Best

Allen R

C

Doug Short

Those voting nay: _____

Absent: _____

Attest:

Jaqueline Wenning
Jaqueline Wenning, Auditor