

Second Amended Ordinance Number: 2024-4C

AN ORDINANCE ESTABLISHING A BOARD OF PARKS AND RECREATION AND REPEAL OF ALL ORDINANCES IN CONFLICT THEREWITH. BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF HANCOCK COUNTY, INDIANA,

Section I

Under the provisions of I.C.36-10-3-3 and I.C.36-10-3-3.1(d)(2) there is hereby created by the Hancock County Board of Commissioners a County ~~Department~~ of Parks and Recreation.

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Section II

Under the provisions of I.C. 36-10-3-4.2 the county board shall be appointed as follows:

- (1) The county executive shall appoint two (2) members. The members must be affiliated with different political parties.
- (2) The county fiscal body shall appoint two (2) members. The members must be affiliated with different political parties.

(a) The creating ordinance may provide for one (1) other elected county official to appoint one (1) member to the county board that is in addition to the members provided. However, the elected county official may not appoint a member of the county fiscal body or the county executive to serve on the board as provided in subsection (e).

(b) The creating ordinance may also provide for:

- (1) the county cooperative extension coordinator
- (2) the county extension educator; or
- (3) a member selected by the board of supervisors of a soil and water conservation district to serve as an ex officio member of the county board in addition to the members provided.

(c) The creating ordinance described in this section may not permit:

- (1) the appointment of an additional member to the county board by either the county executive or the county fiscal body; or
- (2) the delegation of an additional appointment to the county board by either the county executive or the county fiscal body by an additional member who serves.

(d) All members:

- (1) appointed under this section constitute the county board; and
- (2) have the same rights, including the right to vote.

A vacancy in the seat of a member shall be filled by the appointing authority.

(e) A municipal executive, a member of a county fiscal body, a member of the county

Executive, or a member of the municipal fiscal body may not serve on a board.

Section III

Under the provision of I.C.36-10-3-5 Upon establishment of the board,

- (a) the terms of its members shall be as follows:
- (1) One (1) member for a term of one (1) year.
 - (2) One (1) member for a term of two (2) years.
 - (3) One (1) member for a term of three (3) years.
 - (4) One (1) member for a term of four (4) years.

As a term expires, each new appointment is for a four (4) year term. All terms expire on the first Monday in January, but a member continues in office until the member's successor is appointed.

(b) Initial appointments to a county board are as follows:

- (1) This subdivision applies in the case of a county that does not use the procedure described in section 3.1 of this chapter. The circuit judge's appointments are for one (1) and three (3) year terms, respectively.
- (2) This subdivision applies in the case of a county that does not use the procedure described in section 3.1 of this chapter. The county executive's appointment is for a two (2) year term.
- (3) This subdivision applies in the case of a county that uses the procedure described in section 3.1 of this chapter. The county executive's appointments are for two (2) and four (4) year terms, respectively.
- (4) The county fiscal body's appointments are for two (2) and four (4) year terms, respectively.
- (5) This subdivision applies if the county takes the action described in section 4.2(c) of this chapter. The other elected county official's appointment is for a one (1) year term.

As a term expires, each new appointment is for a four (4) year term. All terms expire on the first Monday in January, but a member continues in office until the member's successor is appointed.

(c) An appointing authority shall make initial appointments within ninety (90) days after the creation of the ~~department~~ **BOARD**.

(d) If an appointment for any new term is not made by the first Monday in April, the incumbent shall serve another term.

(e) In making initial appointments under subsections (a) or (b), an appointing authority, in order to provide continuity of experience and programs, shall give special consideration to the appointment of members from previous parks or recreation boards.

(f) If a vacancy on the board occurs, the appointing authority shall appoint a person to serve for the remainder of the unexpired term.

Section IV

Under the provision of I.C.36-10-3-8

(a) 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.

(b) 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.

(c) At its first regular meeting each year the board shall select a president and vice-president. The vice-president may act as president during the absence or disability of the president. The board may select a secretary either from within or outside its membership.

(d) A majority of the members constitutes a quorum. The action of the board is not official unless it is authorized by at least three (3) members present and acting.

Section V

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 delineated in I.C.36-10-3-11.

Section VI

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, donations, and subsidies for park and recreation purposes. I.C.36-10-3.

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Section VII

All other ordinances, resolutions, or parts thereof in conflict with the provisions and intent of this ordinance are hereby repealed. I.C.36-10-3-3.

Section VIII

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. I.C.36-10-3.

Passed by the Board of Commissioners of HANCOCK County, Indiana this 2nd day of July, 2024.



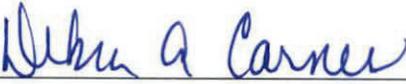
Commissioner Bill Spalding, President



Commissioner Gary McDaniel, Vice-President

absent

Commissioner John Jessup

Attest:


Auditor Debra Carns, of Hancock County, Indiana.

Prepared by: Scott Benkie, Attorney at Law, Benkie & Crawford, 156 East Market Street, The Inland Building, 2nd Floor, Indianapolis, IN 46204