

# GLEN ARBOR TOWNSHIP

## ORDINANCE #3-2021

### PARK AND RECREATION BOARD ORDINANCE

#### **Preamble**

An ordinance to establish a Glen Arbor Township Park and Recreation Board under the Recreation and Playgrounds Act, Public Act 156 of 1917, MCL 123.51, *et seq.*; provide for the composition of said park and recreation board; and provide for the powers, duties and limitations of said park and recreation board.

GLEN ARBOR TOWNSHIP, LEELANAU COUNTY, MICHIGAN ORDAINS:

#### **Section 1: Scope, Purpose and Intent**

This ordinance is adopted pursuant to the authority granted the township board under the Recreation and Playgrounds Act, Public Act 156 of 1917, MCL 123.51, *et seq.*, to establish a park and recreation board with the powers, duties and limitations provided by that Act and subject to the terms and conditions of this ordinance and any future amendments to this ordinance.

The purpose of this ordinance is to provide that the Glen Arbor Township Board shall hereby establish under the Recreation and Playgrounds Act, Public Act 156 of 1917, MCL 123.51, *et seq.*, the Glen Arbor Township Park and Recreation Board; to establish the appointments, terms, and membership of the park and recreation board; to identify the officers and the minimum number of meetings per year of the park and recreation board; and to prescribe the authority, powers and duties of the park and recreation board.

#### **Section 2: Establishment**

The Glen Arbor Township Board hereby establishes under the Recreation and Playgrounds Act, Public Act 156 of 1917, MCL 123.51, *et seq.*, the Glen Arbor Township Park and Recreation Board. The Park and Recreation Board shall have five (5) members.

#### **Section 3: Membership**

Membership of the park and recreation board shall be comprised as follows:

1. One member of the township board shall be appointed to the park and recreation board as an ex officio member. The Township Supervisor shall not serve as the ex officio member.
2. All other park and recreation board members shall be qualified electors of Glen Arbor Township.
3. No other elected official or employee of the township is eligible to be a member of the park and recreation board.

#### **Section 4: Appointments and Terms**

- A. The township supervisor, with the approval of the township board by a majority vote of the members elected and serving, shall appoint all park and recreation board members, including the ex officio member, in accordance with the following:
1. A member serves at the pleasure of the Township Board.
  2. The park and recreation board members, other than the ex officio member, serving initially shall be three (3) members for two (2) year terms, and two (2) members for one (1) year terms. The successors thereof shall each be appointed to two (2) year terms.
  3. The ex officio member shall serve for a term of 1 year and may be reappointed.
  4. A park and recreation board member, other than the ex officio member, shall hold office until his or her successor is appointed.
  5. The ex officio member's term shall expire with his or her term on the township board to which he or she was elected.
  6. Vacancies shall be filled for the unexpired term in the same manner as the original appointment.
- B. All members, excluding the ex officio member, shall have full voting rights.

#### **Section 5: Solicitation for Membership**

- A. By November of each year, the township board shall determine which members' terms of office expire.
- B. In December of each year, the township board shall appoint members to the park and recreation board by a majority vote. All two-year terms shall expire on December 31.
- C. A board member whose term is expiring may be reappointed to the park and recreation board.

#### **Section 6: Officers and Committees**

The park and recreation board shall elect a chairperson and a secretary from its members, and may create and fill other offices as it deems necessary. The ex officio member of the park and recreation board is not eligible to serve as an officer of the park and recreation board. The term of each office shall be 1 year, with opportunity for reelection as specified in the park and recreation board bylaws.

The park and recreation board may appoint ad hoc and citizen committees as specified in the park and recreation board bylaws.

#### **Section 7: Removal**

The township board may remove a member of the park and recreation board for misfeasance, malfeasance, or nonfeasance in office. Failure to attend park and recreation board meetings as specified in the park and recreation board bylaws shall be considered nonfeasance in office.

#### **Section 8: Conflict of Interest**

Before participating in park and recreation board deliberations or casting a vote on a matter on which a park and recreation board member may reasonably be considered to have a conflict of interest, the member shall disclose the potential conflict of interest to the park and recreation

board. Failure of a member to disclose a potential conflict of interest as required by this ordinance constitute malfeasance in office.

Conflict of interest shall be addressed in the park and recreation board bylaws.

**Section 9: Compensation**

Park and recreation board members shall receive compensation of \$50.00 per board meeting for up to 10 meetings per year. Attendance at additional meetings shall be without compensation. The ex officio member, ad hoc and citizen committee members shall serve without compensation.

The secretary of the park and recreation board shall make a quarterly report to the Township Clerk of the number of meetings attended by each park and recreation board member.

**Section 10: Bylaws, Meetings, and Records**

- A. The park and recreation board bylaws and this ordinance shall govern the workings of the park and recreation board.
- B. The park and recreation board shall hold a least 4 regular meetings each year, and shall by resolution determine the time and place of the meetings.
- C. The business that the park and recreation board may perform shall be conducted at a public meeting held in compliance with the Open Meetings Act, Public Act 267 of 1976, MCL 15.261, *et seq.*

**Section 11: Staff**

The park and recreation board may make recommendations for employment of a Park Manager and/or a maintenance employee to the Township Board. The appointment of all employees, if any, shall be subject to the same employment policies as govern other employees of the township.

**Section 12: Annual Report**

The park and recreation board shall make an annual written report to the township board concerning its operations and the status of the park and recreation activities, including recommendations regarding actions by the township board related to park and recreation planning.

**Section 13: Responsibilities**

It shall be the responsibility of the park and recreation board to:

- 1. Advise the township board concerning any Township Park as specified in the park and recreation board bylaws.
- 2. Make recommendations to the township board regarding the park and recreational programs and activities for the township, and the policies and rules governing these programs and activities as specified in the park and recreation board bylaws.

**Section 14: Severability**

The provisions of this ordinance are hereby declared to be severable, and if any part is declared invalid for any reason by a court of competent jurisdiction, it shall not affect the remainder of the ordinance, which shall continue in full force and effect.

**Section 15: Effective Date**

This ordinance shall take full force and effect on the date of its publication.

At a regular meeting of the Glen Arbor Township Board held on April 20, 2021, adoption of the foregoing ordinance was moved by board member Pam Laureto and supported by board member John Pepler. Upon Roll Call vote the following voted "Aye": L. Houtteman, P. Laureto, T. Laureto, D. Lewis, and J. Pepler; "Nay": none; Abstain: none; Absent: none.

The Supervisor declared the ordinance adopted.

Thomas S. Laureto, Township Supervisor

Date of publication of Notice of Adoption: May 13, 2021

Effective date: May 13, 2021

**CERTIFICATION**

I, Pamela J. Laureto, the duly elected and acting Clerk of Glen Arbor Township, hereby certify that the foregoing is a true copy of Ordinance No. 3-2021 and that said ordinance was adopted by the Glen Arbor Township Board at a regular meeting held on April 20, 2021, at which meeting a quorum was present by a roll call vote of said members as hereinbefore set forth; that said ordinance was ordered to take effect on the date of publication in the Townships newspaper of record.

Pamela J. Laureto, Township Clerk