

**ORDINANCE #706**  
**ESTABLISHMENT OF A COMBINED PARK AND RECREATION BOARD**  
**IN THE CITY OF HARTFORD**

AN ORDINANCE ESTABLISHING A PARK AND RECREATION BOARD TO OVERSEE QUALITY OF LIFE PROJECTS, WITHIN THE CITY OF HARTFORD, MINNEHAHA COUNTY, SOUTH DAKOTA, PURSUANT TO SDCL, CHAPTER 9-38.

BE IT ORDAINED BY THE CITY OF HARTFORD, MINNEHAHA COUNTY, SOUTH DAKOTA THAT ORDINANCE 430 SHALL BE AMENDED WITH THE ADDITION OF CHAPTER 1.06 – PARK AND RECREATION BOARD AND SHALL READ AS FOLLOWS:

Section 1.0601: PURPOSE. The purpose of this Ordinance is to establish a Combined Park and Recreation Board pursuant to and as authorized by SDCL Chapter 9-38 of the South Dakota Codified Laws within the City of Hartford, South Dakota.

- A. There is hereby established a Park Board pursuant to SDCL 9-38-8 with the purpose and authority as set forth in this Ordinance.
- B. There is hereby established a Recreation Board pursuant to SDCL 9-38-80 with the purpose and authority as set forth in this Ordinance.
- C. Pursuant to SDCL 9-38-90.1 the Park Board and Recreation Board shall be combined and known as the Hartford Park and Recreation Board. The combined Board shall hereafter in this Ordinance be referred to as the “Board.”

Section 1.0602: LIMIT OF AUTHORITY. The Board shall act in an advisory role to the City Council for purpose of investigation and recommendation to the Hartford City Council as to quality of life matters including but not limited to: the care, regulation and management of the City’s public parks, sports complex, and recreation trail system.

Section 1.0603: MEMBERSHIP. The Board shall consist of seven (7) members – one (1) non-voting member shall be a city council representative, appointed by the Mayor with approval of the city council; one (1) non-voting member shall be a city staff representative, appointed by the Mayor with approval of the city council; and there shall be five (5) voting members from the public at large. The members shall be appointed by the Mayor with the approval of the City Council. The members shall not be required to provide a bond in order to perform their official duties.

Section 1.0604: TERMS. Terms of the Public members shall be as follows: The first year Board will determine one, two and three year terms. During the first year, one board member from the public will have a one year term, two board members from the public will have a two year terms and two board members from the public will have a three year term. Thereafter, terms shall be for a period of three (3) years. The Mayor, with

approval of the City Council will appoint a council member and staff member on an annual basis. The members shall serve on the Board without pay and at the pleasure of the City Council.

**Section 1.0605: ELECTED OFFICERS.** The Board shall elect a President and Vice President for a one year term at the first meeting of the Board each calendar year. The President shall chair all Board meetings; schedule all Board meetings and special meetings; preside at the meetings; act as spokesperson for the Board; sign documents or actions of the Board; rule on all points of order and procedure; and perform all duties approved by the City council. The Vice President shall exercise the duties of the President in the absence, disability or disqualification of the chairperson. In the absence of the President and Vice President, an acting Board member shall be elected by the members present.

**Section 1.0606: RECORDS.** The President of the Board shall appoint the Secretary of said Board. It shall be the duty of the secretary to send all notices for the meetings of said Board; compose the agenda for each meeting; keep and preserve the minutes; have custody and keep all documents and papers filed with the said Board; and perform such other duties as may be prescribed by said Board, with the approval of the City Council. All minutes, records and all official actions of the Board shall be filed in the city's business office and shall constitute public record.

**Section 1.0607: BUDGET.** The Board, on or before the first day of July of each year, shall submit a budget recommendation and estimate for park or trail improvements or recreational programs for the ensuing fiscal year to the office of the City Administrator. Such estimates shall include monies necessary for maintaining, constructing and improving parks, parkways, playgrounds, and recreation trails which are under the control of the City Council.

**Section 1.0608: REPORTING TO THE CITY COUNCIL.** The Council member serving on the Board will advise and consult with the City Council and city officials as to the work and recommendations of said Board.

**Section 1.0609: MEETINGS.** The Board shall meet once a month if there is business to conduct and may also meet on the call of the President or Mayor. Notice of all meetings shall be placed on the city's website at least 24 hours prior to the meeting and will be open to the public. Meeting date and time will be determined by the Board.

**Section 1.06010: QUORUM.** Three (3) voting members will constitute a quorum.

**Section 1.0611: ABSENCES, REMOVALS, RESIGNATIONS AND VACANCIES.** To be excused, members of the Board shall notify the President or Secretary when they intend to be absent from a meeting. Failure to make this notification prior to the meeting shall result in an unexcused absence. Three or more unexcused absences within a term shall be grounds for removal. Members of the Board may be removed by the Mayor, with the approval of the City Council. A member may resign from the Board by sending

a letter of resignation to the Mayor or President of the Board. Vacancies shall be filled by the Mayor, with the approval of the City Council. Successors shall serve out the unexpired term of the member being replaced.

Section 1.0612: DUTIES. Notwithstanding any other provisions in state law, the Board, in addition to providing the annual budget estimate, shall provide an annual assessment of the public parks, vet park improvements and funding opportunities for parks and recreation trails, and advise the council on identifying quality of life improvements related to the city's park and trail system. The Board shall also advise and assist the City Administrator with any recommendations to the City Council for policy changes. The Board shall not, unless directed to by city council, incur any expenses or invoke any polices. Nothing herein shall give the Board authority to expend monies, enter into contracts, create policies, own facilities, issue bonds, levy assessments or hire employees and all such actions shall only be pursuant to approval by the City Council.

Section 1.0613: EFFECTIVE DATE AND ENACTMENT. This Ordinance shall become effective twenty (20) days after the last date of publication of said Ordinance.

Dated this 4<sup>th</sup> day of May 2021

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Jeremy Menning, Mayor

ATTEST:

(seal)

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Karen Wilber, Finance Officer

1<sup>st</sup> Reading of Rezone Ordinance: April 20, 2021

2<sup>nd</sup> Reading & Adoption: May 4, 2021

Publication: May 14, 2021

Effective: June 3, 2021