

ORDINANCE NUMBER 104
BENTON COUNTY, MINNESOTA

ORDINANCE ESTABLISHING COUNTY PARK COMMISSION, PURSUANT TO MINNESOTA
STATUTE 398.34 AND 398.36.

BE IT ORDAINED by the Benton County Board of Commissioners, as follows:

Section 1. There is hereby established the Benton County Park Commission.

There shall be nine (9) voting members on the County Park Commission. One member shall be a Benton County Commissioner. Another member, not a Benton County Commissioner, shall be appointed from among the membership of the Benton County Planning Commission. There shall be one member from each of the five county commissioner districts. In addition, there shall be two members at large. Each of the members of the Benton County Park Commission must be a resident of Benton County during their entire term of office. A maximum of two ex-officio members may be appointed by the County Board.

Section 2. All membership appointments to be County Park Commission shall be made by majority vote of the County Board of Commissioners.

Vacancies shall be filled by majority vote of the County Board, and the appointee shall serve for the unexpired term so filled.

Section 3. Appointments to the County Park Commission shall be made in January of each year. The County Board representative, the Planning Commission representative, and the ex-officio members shall be appointed for one year terms only.

The terms of the other seven members first appointed under this Ordinance shall be staggered: two members for one year each, two members for two years each, and three members for three years each. No member shall serve more than two consecutive three year terms. The County Board in making the appointments shall designate the length of the first term of office of each of said seven members. Thereafter, the term of office of the successor appointees shall be three years, except as above specified in the case of vacancies.

Each member shall continue to serve until a successor is appointed.

Any member of the County Park Commission who misses three consecutive meetings is subject to removal at the pleasure of the County Board.

Section 4. The County Park Commission shall elect from its membership a chairman, vice-chairman, and secretary-treasurer who shall serve for such terms, and shall have such powers and perform such duties as may be prescribed in the rules of said Commission.

Section 5. Meetings of the Commission shall be held at such times and places as may be prescribed in the rules of the Commission or as may be fixed by the chairman, consistent with such rules.

Section 6. A majority of voting members at a meeting of said Commission shall be present to constitute a quorum for the transaction of business.

Section 7. It shall be the duty of said County Park Commission:

A. To study and determine the park and recreation needs of Benton County and to make recommendations to the County Board in respect thereof, including general and specific matters of policies and of recreational programs in furtherance of said need of the County.

B. To make recommendations to the County Board in respect of the selection of park and recreation personnel.

C. To submit to the County Board annually a park and recreation program for the ensuing fiscal year, together with an estimate of the cost thereof.

D. To perform such other lawful duties as may be assigned by the Board.

Section 8. Any recommendation of the County Park Commission which requires action by the County Board to carry it out shall be submitted in writing. Upon final disposition thereof the County Board shall promptly advise the County Park Commission the action taken thereon.

Section 9. The members of the County Park Commission shall serve without compensation, but shall receive a per diem and mileage allowance as set by the County Board.

Adopted this 16th day of March, 1978.



August Machula
August Machula, Clerk

Wm. Van Diest
Wm. Van Diest, Chairman

(To the Auditor: Publish once and file and record in Ordinance Book as required by M.S. 398.34. File affidavits of publication as required by M.S. 375.51)