

ORDINANCE NO: 95-2

AN ORDINANCE TO ESTABLISH A RECREATION COMMISSION WITHIN THE TOWN OF FAYAL.

ARTICLE I
CREATION

Section 1. The Town Board of Fayal Township does hereby create a Recreation Commission pursuant to Minnesota Statutes 471.15 and all acts amendatory thereof.

ARTICLE II
MEMBERSHIP

Section 1. Regular Voting Members

- A. The Recreation Commission shall consist of five (5) voting members, who shall be appointed by the Fayal Township Board of Supervisors as provided in this Ordinance, all of whom shall be residents and voters of Fayal Township.
- B. The voting members shall represent all areas of the Township.
- C. No more than one voting member shall be an employee of the Township.

Section 2 Ex-Officio Members.

- A. One Township Supervisor and an alternate shall be designated as ex-officio, non-voting members of the Recreation Commission and shall serve as liaison to the Town Board.

ARTICLE III
APPOINTMENTS

Section 1 Method of Appointment:

- A. At the first regular meeting of the Town Board in April each year, the Recreation Commission shall recommend members to the Town Board to fill expired terms. The appointments shall be made upon approval of the Board by majority vote of the entire Board.

Section 2 Terms of Office:

- A. Except as provided in Article III, Sec. 2, B. each member of the Recreation Commission shall be appointed to serve for a period of three (3) years. No person shall be appointed for more than two (2) consecutive full terms of office.
- B. Initial appointments made pursuant to this Ordinance shall be made in such a manner that no more than two terms shall expire at the close of any year.
- C. Each year shall be presumed to run from the date of the first regular meeting of the Township Board in April to said meeting date in the following year.

Section 3 Vacancies

- A. Appointments shall be made by the Township Board of Supervisors to fill any vacancy for the unexpired duration of the term. Such appointment shall be made at the earliest possible convenience of the Town Board, upon the approval of the majority vote of the entire Board.
- B. Vacancies in the regular positions shall be declared by the Town Board under any of the following conditions:
 - 1. Death of a member
 - 2. Resignation of a member
 - 3. Removal of a member for cause as provided in this Ordinance.
- C. All vacancies shall be reported to the Township Board at the earliest possible convenience by the Chairperson of the Recreation Commission and the Township Supervisor - Ex-Officio member.

ARTICLE IV
REMOVAL FOR CAUSE

Section 1 The following shall be deemed sufficient cause, grounds or reason for the Township Board of Supervisors to remove any regular voting Recreation Commission member. The Township Board shall remove any voting member upon the occurrence of any of the following conditions as reported to the Board by either the Chairperson of the Recreation Commission or the Township Supervisor - Recreation Commission.

- A. Failure of the voting member to attend one-third (1\3) of regularly scheduled commission meetings in any 12 month period.

B. Failure of the voting member to attend three (3) consecutive regular commission meetings or attend four (4) consecutive regular and special Commission meetings.

C. Attendance at several regular or special Commission meetings for such a short length of time as to render the voting member's services of little value to the Township. The Township Board of Supervisors shall make a judgement on such matters after receiving a report of the Chairperson or the Township Supervisor-Recreation Commission.

ARTICLE V
ORGANIZATION AND PROCEDURES

Section 1 Officers:

- A. The Recreation Commission shall elect a Chairperson and Vice-Chairperson from among its regular members.
- B. The Recreation Commission may arrange for a recording secretary, subject to approval of the Town Board.
- C. Tenure of office shall be two (2) years, with a maximum of three (3) consecutive terms for chairperson and vice-chairperson.

Section 2 Rules of Procedure:

- A. The Recreation Commission shall adopt rules for the transaction of its business which shall not be inconsistent nor contrary to the statutes of the State of Minnesota or the Ordinances of this Township.

Section 3 Meetings:

- A. The meetings of the Recreation Commission shall be held at the call of the Chairperson and at such other times as the Commission in its rules of procedures may specify.
- B. All meetings of the Recreation Commission shall be open to the public,

pursuant to Minnesota Statutes.

Section 4 Voting:

- A. Each regular voting member, including the Chairperson, shall be entitled to vote on all questions, unless a particular issue involves a conflict of interest.
- B. Any voting member who believes he or she may have a conflict of interest, or who has a relative who has an interest, in any decision to be made by the Recreation Commission shall disclose such interest and either disqualify himself or seek ruling pursuant to Article V, Sec. 4 C, of this ordinance.
- C. Any question of whether a particular issue involves a conflict of interest sufficient to disqualify a member from voting thereon shall be decided by a majority vote of the attending members except the member who is being challenged.
- D. Ex- officio members of the Recreation Commission shall not have the right to vote on any issues before the Recreation Commission.

Section 5 Records:

- A. The Recreation Commission shall keep a written public record of all its transactions, findings, and determinations on all matters referred to it.

ARTICLE VI
AUTHORITY AND DUTIES

Section 1 Duties:

- A. The Recreation Commission shall review the existing recreational facilities and programs within the Town of Fayal and, in cooperation with a consultant and other employees of the Township, recommend to the Township Board for adoption a comprehensive plan for the operation of existing recreational facilities and programs.
- B. The Recreation Commission shall explore opportunities for enhancement of recreational facilities and programs within the Town to include but not

limited to: new facilities and programs, joint recreational programs with neighboring jurisdictions, and Funding sources for recreational enhancement. The Recreation Commission shall make recommendations to the Town Board on pursuit of these opportunities.

- C. The Recreation Commission shall make budgetary recommendations to the Town Board.

ARTICLE VII
EFFECTUATION

Section 1. This Ordinance supercedes and replaces unnumbered ordinance dated 3 December 1974 regarding the establishment of a Recreation Commission.

Section 2. This Ordinance shall take effect and be in full force on the 16th day of May, 1995, upon its adoption by the Fayal Township Board of Supervisors and posted in Fayal Township as provided by Minnesota Statutes.

Section 2. Supervisor Turner moved the adoption of this Ordinance, seconded by Supervisor Ziegler and it was adopted on the following vote:

Turner-yes Kniel-yes Engard-yes
Ziegler-yes Ojanpa-yes

[Signature] 5-16-95
Chairman

[Signature] 5-16-95
Clerk

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