

CLERK
JUNE 16 AM 8:48

STATE OF SOUTH CAROLINA

ORDINANCE NO.: 2018-1518

COUNTY OF LANCASTER

AN ORDINANCE

TO DELETE IN ITS ENTIRETY AND REMOVE FROM THE LANCASTER COUNTY CODE OF ORDINANCES ARTICLE II, JOINT RECREATION COMMISSION, SECTION 24-21 THROUGH SECTION 24-31; TO DISSOLVE THE JOINT RECREATION COMMISSION; TO CREATE AND ESTABLISH THE LANCASTER COUNTY RECREATION ADVISORY BOARD.

WHEREAS, through the passage of Ordinance No. 828 on June 4, 2007 and the subsequent passage of various related ordinances, Lancaster County created the Joint Recreation Commission, the purpose of the commission being to manage, supervise, maintain and control the use of all recreation and park properties located in Lancaster County owned by the county, the City of Lancaster, the Town of Heath Springs and the Town of Kershaw; and

WHEREAS, over the course of the last decade, the countywide growth in population has substantially impacted the recreational needs throughout Lancaster County, thereby creating the need for a modification of the oversight and management of the services provided to the county's citizens and residents; and

WHEREAS, in addition to the population growth, additional factors, including the advanced professionalism of the county recreation staff and the desire of the county to have a more direct oversight responsibility of the county's recreational needs, County Council has determined that it would be in the best interest of the county that the recreation staff, the County Administrator and the County Council assume a more active role in, not only the operation of the county's recreational needs, but also in the study and decisions that will impact and determine the continued advancement of the programs demanded by the county's growing population; and

WHEREAS, in order to accomplish the desired goals noted above, County Council has formulated a plan and policy set forth hereinafter.

NOW, THEREFORE, by the power and authority granted to the Lancaster County Council by the Constitution of the State of South Carolina and the powers granted to the County by the General Assembly of the State, it is ordained and enacted that:

Section 1. Dissolution of the Joint Recreation Commission.

A. Not later than August 31, 2018, the Joint Recreation Commission shall be and hereby is declared to be dissolved. During the interim period, any decision made by the Joint Recreation Commission shall be subject to the consent and approval of the County Administrator following his discussion with the County Chairman;

B. Effective upon passage of this ordinance, the Lancaster County Code is amended to the extent that Article II, Section 24-21 through Section 24-31 of the Lancaster County Code is deleted in its entirety.

Section 2. Establishment of the Lancaster County Recreation Advisory Board.

A. Effective upon passage of this ordinance, there hereby is created and established the Lancaster County Recreation Advisory Board.

B. Effective upon the passage of this ordinance, the Lancaster County Code of ordinances shall be amended by the following deletion and additions:

(1) **Article XI, Section 2-301(b)** – reference to the Joint Recreation Commission therein shall be deleted.

(2) **Article XI, Division 7. Recreation Advisory Board** shall be added, including the following Sections:

(a) Section 2-386 Purpose and objectives.

The purpose and objective of the Recreation Advisory Board shall be as follows:

1. To make recommendations to the County Council for the parks and recreational needs of the county and the implementation of plans established by Council;
2. To promote parks and recreation activities within the entire county;
3. In conjunction with the Director of Parks and Recreation, to oversee the expenditure of monies appropriated by the County Council for parks and recreation purposes.

(b) Section 2-387 Composition of Board.

1. The Board shall be composed of seven (7) members, all of whom shall be Lancaster County residents. Each Council member shall have one (1) appointment. It shall be necessary that the appointee reside in the district of the council member making the appointment.
2. The term of office for all Board members is four (4) years, commencing on July 1 and ending on June 30. A person who has served two (2) consecutive terms on the Board is ineligible for an additional appointment without there being a one-year period prior to an additional appointment. Time served in filling a vacancy shall not be included in the term limitation. Members do not continue to serve until their successor is appointed. Vacancies shall be filled in the same manner as the original appointment.

(c) Section 2-388 Initial terms of office; vacancies.

1. Members of the Board serve at the pleasure of Council and can be removed with or without cause.
2. A person who is a coach for a team playing in a program of the parks and recreation department is ineligible for service on the Board.
3. A member of the Board who misses three meetings in any fiscal year automatically vacates membership on the Board. However, the Chairman of the Board has the authority to excuse the attendance of a Board member in the event of an emergency deemed acceptable in the Chairman's sole discretion provided that the absence is requested in advance and announced at the time of the meeting in which the absence occurs.
4. All members serve without compensation.
5. The initial terms of members shall be staggered. Members initially appointed to represent Council Districts 1, 3, 5, and 7 shall serve through June 30, 2021. This term shall be deemed to be a full term. Members initially appointed to represent Council Districts 2, 4, and 6 shall serve through June 30, 2019. This term shall not be deemed a full term. All terms beyond the initial term shall be for four (4) years.
6. At the first meeting following July 1 of each year, the Board membership shall elect a member to serve as Chairman for a one year period. There shall be a limit of no more than three (3) years of consecutive service as Chairman.

(d) Section 2-389 Meetings;

1. Board meetings shall be held no less than every other month or, alternatively, more often as deemed necessary and appropriate by the Board Chairman and/or the Director of Parks and Recreation.
2. All meetings shall be open meetings and advertised as required by the South Carolina Freedom of Information Act. An agenda for each meeting shall be established pursuant to the guidelines found in Robert's Rules of Order.

(e) Section 2-390 Records and reports;

The Board shall maintain written, summary minutes of its meetings, including therein the date of the meeting, the members present and the business and topics discussed. A copy of Board meeting minutes shall be forwarded to the Clerk to Council within thirty (30) days of each meeting.

(f) Section 2-391 Freedom of Information.

Compliance with all requirements of the South Carolina Freedom of Information Act shall be mandatory. .

Section 3. Severability.

If any section, subsection or clause of this Ordinance is held to be unconstitutional or otherwise invalid, the validity of the other sections, subsections and clauses shall not be affected.

Section 4. Conflicting Provisions.

To the extent this Ordinance contains provisions that conflict with provisions contained elsewhere in other county legislation, the provisions contained in this Ordinance supersedes all other provisions and this Ordinance is controlling.


Section 5. Effective Date.

This Ordinance shall become effective upon the passage of Third Reading.

AND IT IS SO ORDAINED.

Dated this 13th day of August, 2018.

LANCASTER COUNTY, SOUTH CAROLINA




Steve Harper, Chair, County Council



Larry Honeycutt, Secretary, County Council

ATTEST:



Sherrie Simpson, Clerk to Council

First Reading: June 25, 2018
Second Reading: July 16, 2018
Third Reading: August 13, 2018