

NORTHAMPTON COUNTY COUNCIL - EASTON, PA

Ordinance No. _____ **SESSION 2019** **Bill No. 761**

Introduced by Lori Vargo Heffner and William B. McGee on June 20, 2019

Enacted _____ **Effective** _____

Title: AN ORDINANCE ESTABLISHING THE BYLAWS OF THE PARKS, RECREATION, AND OPEN SPACE ADVISORY BOARD

WHEREAS, on or about November 4, 2004, the Northampton County Council adopted Ordinance #423-2004, entitled, "AN ORDINANCE ESTABLISHING THE NORTHAMPTON COUNTY 21ST CENTURY OPEN SPACE INITIATIVE, WHICH ORDINANCE, ACCEPTED THE REPORT OF THE NORTHAMPTON COUNTY COUNCIL OPEN SPACE COMMITTEE PREPARED WITH THE ASSISTANCE OF THE LEHIGH VALLEY PLANNING COMMISSION, CREATING THE NORTHAMPTON COUNTY OPEN SPACE ADVISORY BOARD AND ESTABLISHING ITS DUTIES, AND PROVIDING FOR THE ADMINISTRATION OF THE OPEN SPACE INITIATIVE" with the Northampton County 21st Century Open Space Initiative Guidelines which were also subsequently amended by the enactment of Ordinances #468-2007, #533-2011, #552-2012, #559-2012, and #582-2013; and

WHEREAS, on or about January 7, 2016, the Northampton County Council adopted Ordinance #603-2015, entitled, "AN ORDINANCE ESTABLISHING "THE LIVABLE LANDSCAPES" - AN OPEN SPACE PROGRAM FOR NORTHAMPTON COUNTY AND FURTHER PROVIDING FOR THE ADMINISTRATION OF THE 21ST CENTURY OPEN SPACE INITIATIVE; and

WHEREAS, on or about May 2, 2019, the Northampton County, under adoption of Ordinance #666-2019, entitled, "AN ORDINANCE ESTABLISHING THE PARKS, RECREATION, AND OPEN SPACE ADVISORY BOARD"; the Open Space Advisory Board will be renamed the Parks, Recreation and Open Space Advisory Board (Board) and shall serve as advisors to the County Council on issues presented to the Board to support implementation of the vision, goals, and recommended actions of the currently adopted County Open Space, Park, and Recreation Plan(s); and

WHEREAS, the Parks, Recreation, and Open Space Advisory Board (Board) revised the Bylaws to be consistent with the functions and powers of the Board as listed in Ordinance #666-2019.

WHEREAS, the Board reviewed the Bylaws at the May 14, 2019 meeting and June 11, 2019. The Board provided a recommendation for approval of the 2019 Bylaws to the Director of Administration at their June 11, 2019 meeting.

NOW THEREFORE, IT IS HEREBY ORDAINED AND ENACTED by the NORTHAMPTON COUNTY COUNCIL:

1. All "WHEREAS" Clauses are incorporated and adopted into this ordinance.
2. Any prior references to the name "Open Space Advisory Board," in any County Ordinances or Resolutions shall now be named, designed and construed to be the "Parks, Recreation and Open Space Advisory Board."
3. The Board shall serve as advisors to the County Council on issues presented to the Board to support implementation of the vision, goals, and recommended actions of the currently adopted county open space, park and recreation plan(s).
4. The Bylaws shall become effective upon recommendation by the Board and adoption by County Council Ordinance.

This ordinance was advertised on the ____ day of _____ 2019, and was adopted by the Northampton County Council on the ____ day of _____ 2019.

Attest:

Linda M. Zembo
Clerk to Council

Ronald R. Heckman
County Council President

Lamont G. McClure
County Executive

PARKS, RECREATION, AND OPEN SPACE ADVISORY BOARD BYLAWS

ARTICLE I – Name of Board

Section 1.1. Name of Board. The name of the Board, as provided by Ordinance #666-2019 adopted by Northampton County Council, shall be renamed as the Northampton County Parks, Recreation, and Open Space Advisory Board ("Board").

Section 1.2. Authorization. The Board exists by the Northampton County Council adopted Ordinance #423-2004, which established the Northampton County 21st Century Open Space Initiative and created the Northampton County Open Space Advisory Board.

The Board shall have no authority other than as stipulated in the Bylaws and approved by County Council Ordinance.

Section 1.3. Adoption. The Bylaws shall become effective upon recommendation by the Board and adoption by County Council Ordinance.

Any changes to the Bylaws will be reviewed and approved by the Board for recommendation of adoption by County Council Ordinance.

ARTICLE II – Purpose

Section 2.1. Purpose. The Board shall serve as advisors to the County Council on issues presented to the Board to support implementation of the vision, goals, and recommended actions of the currently adopted county open space, park and recreation plan(s).

ARTICLE III – Functions & Responsibility

Section 3.1. Functions & Responsibility. The Board will:

1. Serve in an advisory capacity to the County Council for the implementation of the vision, goals, and recommended actions of the currently adopted County Open Space, Park, and Recreation Plan(s);
2. Review current open space and parks and recreation programs and facilities in the County to determine additional needs, and submit recommendations pertaining to open space, parks and recreation guidelines, policies, budgets, facilities, or user fees, if any, to the County Council;
3. Review all open space, parks and recreation-related matters submitted to the Board;
4. Periodically review and, if necessary, suggest updates for the currently adopted County Open Space, Park and Recreation Plan(s);
5. Make recommendations to the Administration and County Council on providing funds for grant programs dedicated to open space, natural areas, and parks and recreation initiatives;

6. Within the current County Council's goals, objectives, and budget, perform the above-mentioned duties using the following criteria:
 - a. Promote environmental protection through acquisition and restoration of natural lands;
 - b. Promote maximum utilization of parks, recreation facilities and programs;
 - c. Enhance the quality of the leisure life of all County residents through parks and recreation programs and services;
 - d. Provide to County residents as wide a variety of recreational opportunities as possible; and,
7. Make recommendations to the County Council on rules and regulations that help protect, maintain, and enhance the natural environment;
8. This Board will not supersede actions of other Authorities, Boards and Commissions
9. Continue to exercise the duties, responsibilities and obligations as designated in any County Ordinance and Resolution.

ARTICLE IV – MEMBERSHIP/BOARD COMPOSITION

Section 4.1. Voting Members. There shall be seven (7) voting Board members.

Section 4.2. Non-voting Liaisons. A representative from the County Council Energy, Environment, and Land Use Committee; an employee of the County Department of Public Works or Administration; an employee of the Lehigh Valley Planning Commission.

Section 4.3. Terms of Office. The term for a member shall be two (2) years.

Section 4.4 Staggered Terms. Terms shall be staggered with the terms of members expiring every first and second year.

Section 4.5. Compensation. Board members shall serve without salary or compensation, unless otherwise approved by County Council.

Section 4.6. Residency. Board members shall be a resident of Northampton County.

Section 4.7. Appointments. County Council shall make all appointments and fill all vacancies on the Board after recommendations are given by the County Executive and the Board.

Section 4.9. Resignation. Board members may resign their position at any time via a written letter or email.

Section 4.10. Removal from Office. Board members may be removed by County Council Ordinance.

ARTICLE V – ORGANIZATION AND OFFICERS/DUTIES

Section 5.1. Officers. The elected officers of the Board include a Chair and a Vice Chair. The Secretary shall be an employee of the Northampton County Division of Parks and Recreation.

Section 5.2. Nomination and Election of Officers. Nomination of elected officers will be made from the floor at the annual election meeting which will be held on the first regular meeting of each year. A nominee receiving a majority vote of those present at the election will be deemed elected.

Section 5.3 Terms of Officers. The elected officers take office at the first regular meeting of the year and serve for one year. Officers shall serve no more than two consecutive annual terms.

Section 5.4 Vacancies in Officers. Vacancies in elected officers will be filled immediately at a regular meeting by regular election procedure for the unexpired portion of the term.

Section 5.5 Duties of Officers

- 1. Chair.** The Chair will preside at all meetings of the Board and may call special meetings if necessary. The Chair and the Secretary shall sign all official Board recommendations for approval to County Council. The Chair may discuss all matters before the Board and make motions on all voting. The Chair will perform the duties necessary by the Board except as otherwise provided in the Bylaws, County Ordinances; or State Law.
- 2. Vice Chair.** The Vice Chair will assume the duties and powers of the Chair in their absence. If the Chair and Vice Chair are both absent, Board members present at the meeting may elect a temporary Chair by a majority vote. The member will assume the duties and powers of the Chair and the Vice Chair for that meeting.
- 3. Secretary.** The Secretary shall prepare the advertisements for the Board meetings. The Secretary will prepare the agenda and minutes of each meeting and will maintain the Board's files. The Secretary will work with the Solicitor's office as needed. The Secretary will be an employee of the Northampton County Division of Parks and Recreation.

ARTICLE VI – BOARD OPERATIONS

Section 6.1. Quorum. A quorum is met by four Board members present for the purpose of conducting business. Action may be taken by a majority vote of members present.

Section 6.2. Schedule. The Board shall meet once a month at a regularly scheduled day and time determined by the members of the Board.

Section 6.3. Public. All meetings are open to the public.

Section 6.4. Rules. All meetings shall be conducted in accordance with *Robert's Rules of Order*.

Section 6.5. Agenda. Board members shall receive the agenda at least twenty-four hours before the Board meeting.

ARTICLE VII – STANDARDS OF CONDUCT

Section 7.1. Standard of Conduct.

1. Board members will treat other Board members and others with respect.
2. Board members will respect the opinions of, and the differences among, individuals.
3. Board members will expect fairness in their decisions and actions internally and externally and be mindful of their impact on other groups and people.
4. Board members expect their actions to demonstrate care for their council, their constituency, themselves and others, as well as for the community as a whole.
5. Board members will treat each member of the Board and members of the public with respect at all times, regardless of an individual's opinion, ethnicity, race, gender orientation, age, disability or religion.
6. Even in the face of disagreement or differences of opinion, Board members will demonstrate esteem and deference for their colleagues and the public.
7. Under no circumstances during Board meetings or events will Board members engage in, or threaten to engage in, any verbal or physical attack on any individual.
8. Board members will commit to communicate ideas and points of view clearly, and allow others to do the same without interruption.
9. Board members will not use language that is abusive, threatening, obscene, or slanderous, including profanities, insults, or other disparaging remarks or gestures.
10. Derogatory language about an individual's ethnicity, race, gender orientation, age, disability, political affiliation, or religion is not acceptable.

Section 7.2. Sanctions for Violating Standards of Conduct. The Board may recommend to County Council that a Board member be removed for any of the following reasons:

1. **Forfeiture of Office.** At any time during their term due to:
 - a. Lacks any qualification prescribed by these ByLaws; or
 - b. Violates any prohibition prescribed by these ByLaws; or
 - c. Knowingly and willfully violates any provisions of these ByLaws; or
 - d. Is convicted of any crime involving moral turpitude, any crime related to his office, or any crime for which forfeiture of crime is prescribed by law; or
 - e. Is adjudicated an incompetent by a court.
2. Acts which are, in the opinion of the Board, a material violation of the Bylaws or detrimental to the best interest of the Board or the community.
3. The County Council may, with or without the recommendation of the Board, remove any member of the Board for misconduct, activities detrimental to the best interest of the County, or neglect of duty.
4. For an absence of 6 months or more

Approved by County Council via Ordinance # _____ of 2019 on ____/____/2019