

ORDINANCE NO. 2025-8

**ORDINANCE ESTABLISHING A PARK BOARD
AND REPEALING ALL ORDINANCES IN CONFLICT THEREWITH**

WHEREAS, on June 3, 2019, the Morgan County Council voted to dissolve the then-existing Park Board and create a Parks Department under the authority and control of the Morgan County Board of Commissioners;

WHEREAS, under Indiana Code sections 36-10-3-3(c) and 36-10-3-3.1(d)(2), the Board of Commissioners as the county executive has exclusive authority to create a board of parks and recreation in circumstances where the County Council has not adopted an ordinance or has repealed the ordinance; and

WHEREAS, the Board of Commissioners has determined the creation of a board of parks and recreation (herein "Park Board") is in the best interests of Morgan County;

THEREFORE, BE IT ORDAINED by the Board of Commissioners of Morgan County, Indiana, as follows:

Section I

Under the provisions of Indiana Code sections 36-10-3-3 and 36-10-3-3.1, there is hereby created a County Department of Parks and Recreation. The Park Board will replace the current Parks Department and will function independently of the Morgan County Commissioners.

Section II

A park and recreation board shall be composed of:

1. Two members of different political parties appointed by the Board of

Commissioners;

2. Two members of different political parties appointed by the County Council; and

3. One member who, is appointed by the County elected official designated by the Board of Commissioners to make such appointment.

Section III

Upon establishment of the board, the terms of its members shall be:

1. The appointments by the Board of Commissioners shall be for two- and four-year terms, respectively;

2. The appointments by the County Council shall be for two- and four-year terms, respectively;

3. The member appointed by the County elected official shall serve a one year term.

Pursuant to Indiana Code section 36-10-3-4.2, no member of the county fiscal body or the county executive may serve on the Park Board.

As a term expires, each new appointment shall be for a four-year term. All terms shall expire on the first Monday in January, but a member shall continue in office until his or her successor is appointed. The appointing authorities shall make initial appointments within ninety days after the creation of the Park Board. If an appointment for any new term is not made by the first Monday in April, the incumbent shall serve another term. If a vacancy on the Park Board occurs, the appointing authority shall appoint a person to serve for the remainder of the unexpired term.

Section IV

Pursuant to Indiana Code section 36-10-3-6, a Park Board member may be removed only for cause, upon specific written charges filed against the member. The charges shall be filed with and heard by the appointing authority, unless the appointing authority is bringing the charges. If the appointing authority is bringing the charges, the County Council shall appoint a hearing officer. The person or body hearing the charges shall fix a date for a public hearing and give public notice at least 10 days in advance of the hearing. At the hearing, the member is entitled to present evidence and argument and to be represented by counsel.

Section V

All books, papers, documents, and other property of the current Parks Department and any former department of parks and recreation or park board shall be transferred to and become the property of the Park Board.

Section VI

The members of the Park Board may receive a salary in an amount fixed by the County Council as the fiscal body.

Section VII

The Park Board shall conduct its affairs in accordance with Indiana Code sections 36-10-3-8 (meetings and officers); 36-10-3-10 (duties); 36-10-3-11 (powers); and 36-10-3-13 (appointment of a superintendent) as well as the remainder of the provisions of Indiana Code chapter 36-10-3.

Section VIII

The Park Board shall prepare and submit an annual budget in the same

manner as other departments of county government as prescribed by the State Board of Accounts. The Park Board may accept gifts, donation, and subsidies for park and recreation purposes in accordance with Indiana Code section 36-10-3-18.

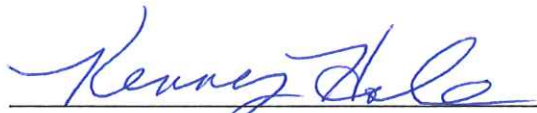
Section IX

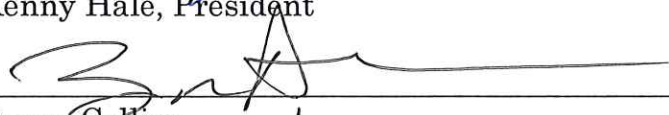
All other ordinances, resolutions, or parts thereof in conflict with the provisions and intent of this ordinance are hereby repealed.

Section X

This ordinance shall be in full force and effect from and after its passage, and approval, according to the laws of the State of Indiana.

Passed by the County Commissioners of Morgan County, Indiana, this 18th day of August, 2025.


Kenny Hale, President


Bryan Collier


Don Adams

ATTEST:


Linda Pruitt

Linda Pruitt, Morgan County Auditor