

Louisburg Joint Recreation Commission Board By-Laws

ARTICLE 1: Purpose

Definition:

LOUISBURG JOINT RECREATION COMMISSION BOARD (hereinafter the "Board" or "LRC") is a public body existing pursuant to K.S.A. 12-1922 by both the Board of Education of Unified School District #416 (hereinafter the "Board of Education") and the City Council of Louisburg.

Mission:

The LRC exists to promote, encourage, and to provide opportunity for members of the Louisburg community to maintain a balanced, healthy lifestyle: to ensure that the environment, activities, and programs are stimulating, challenging, and inviting. Recreation and leisure activities provided under the direction of the LRC focus on integrating mind, body, and spirit through quality, diverse and innovative programs, activities, and services.

This purpose shall be accomplished by:

- Organizing, promoting, and directing a year-round program with various leisure time activities for all ages, regardless of race, creed, color, sex, disability or national origin.
- Cooperating with the school district, city, and other community agencies in regard to planning, programming, and facilities for recreational purposes.
- Periodically evaluating policies, personnel, programs, facilities and the direction of the Board.
- Conducting the program and business of the Board within the existing statutes, policies, and procedures as set forth by the Board, USD No. 416, City Council of Louisburg, the State of Kansas, in the United States.

ARTICLE 2: Governing Body

2.1 Appointment of Members

The governing body for the Board shall consist of five Members appointed in accordance with Kansas Statute 12-1926 for 1,2,3 and 4 year terms. Two Members appointed by the Board of Education, Two by the City Council of Louisburg and one Member appointed at-large by the Members of the Board.

Upon the expiration of the term of any Members, or when a vacancy occurs for any reason, the Board of Education, Members of the Board, City Council of Louisburg shall appoint a person to serve on the Board in accordance with provisions as required by statute (12-1926).

Members shall complete and pass a background screening as required by LRB policy prior to appointment.

2.2 Member Meeting Attendance, Resignation or Removal

Members of the Board shall make every effort to attend regularly scheduled and specially scheduled meetings of the Board. Should a member absent themselves from more than three consecutive regularly scheduled meetings or five meetings in a calendar year, the Board may ask for their resignation to the Board. Members desiring to resign from the Board shall provide written documentation of this desire to the Louisburg Recreation Commission Board Chairperson.

2.2a Absences

The Board may excuse absences in cases where they make a finding that an unusual hardship justifies excusing an absence or absences including but not limited to serious illness or injury, maternity/paternity leave, serious family emergencies, religious observances, jury duty, military service. The Board Secretary/Clerk of the Board shall record attendance in the official minutes and indicate if an absence is excused and shall submit a report to the Chairperson for appropriate action if needed.

At the request of any Board Member, the Chairperson shall place a Board Member who has not met the attendance requirement established by LRC on the subsequent meeting agenda for consideration of removal. The Chairperson shall inform the Board of Education and City Council of Louisburg prior to consideration of removal of a Board Member.

ARTICLE 3 - Recreation Director

3.1 - APPOINTMENT OF THE Recreation Director ("Director")

The Commission may at its' discretion employ a Director of Recreation who shall not be a member of the Commission. The Director will be expected to attend all regular meetings of the Commission and may participate in discussions but shall not be entitled to vote. The Director shall be contracted with terms and length negotiated by the commission and subject to annual review by the Board.

3.2 - DUTIES OF THE Director

The Director, a person who gives promise of such leadership as will further the general welfare of the Louisburg Recreation Commission of all those who shall be influenced by it, shall make annual monthly reports during regularly scheduled Board meetings as well as annual written report to the Board of the work and condition of the Recreation Commission

and from time to time shall give to the Commission such additional reports on the work and condition of the Recreation Commission.

ARTICLE 4: Powers & Duties of the Board

4.1 Statutory Powers of the Commission

As provided by K.S.A. Section 12-1928, and without limiting the same, the Board shall have the power to perform any acts necessary to carry out the provisions of this act.

4.2 Meetings

4.2a Regular Meetings

Regular meetings of the Board will be held at City Hall on the third Tuesday of each month at 6:00pm. In the event such day is a legal holiday, or a quorum cannot be present, or the Board otherwise determines such date is not convenient or appropriate, the meeting will be either rescheduled or canceled, and all meeting business continued to the next regular meeting. Appropriate notice as required by these policies or by law shall be given of such change.

4.2b Special Meetings

Special meetings may be called by the Chairperson of the Board or by any three Board Members. Notice of any special meeting shall be given at least two (2) days prior to such meeting unless waived by unanimous consent of the Board.

4.2b Quorum

The presence of a majority of the Board Members will at all times constitute a quorum. Once a quorum is established, the business of the meeting may continue and all actions taken shall be binding even though less than a quorum exists at a later time in the meeting.

4.2c Open Meetings

The Board, its committees, subcommittees and other subordinate groups thereof shall be subject to the provisions of the Kansas Open Meetings Act, K.S.A. Section 75-4317, et seq. and the provisions of the Kansas Open Records Act, K.S.A. Section 45-215, et seq.

4.3 Meeting Format

4.3a Meeting Agenda

The Board meeting agenda will be compiled by the Chairperson in conjunction with the Director. Board Members may direct items to be placed on the agenda. The agenda and all support material will be delivered to the Board Members at least two days prior to any scheduled Board meeting. An agenda may be sent to other interested persons and

organizations upon request or as required by law. The Board shall approve, or amend and then approve, the agenda for each meeting.

4.3b Citizen Presentation

The Board will allow citizen requests to appear on the meeting agenda. However, the following guidelines must be followed:

A. the Chairperson may, in his/her sole discretion, limit a citizen's presentation to three (3) minutes in length.

B. Citizens should complete an agenda request and submit the same to the Board Chairperson seven (7) days before the respective Board meeting and furnish all support materials in advance, or such citizen may be denied the opportunity to speak, at the discretion of the Chairperson of the Board.

C. the Board may add an agenda item allowing Citizens to raise questions, issues, or make comment on items that are not already on the current meeting's agenda.

4.3c Action on Citizen Requests

The Board will not make a decision on a citizen request until the next regularly scheduled Board meeting (at the earliest) unless the Board Members are satisfied that all necessary information pertaining to the issue is immediately available and the Board Members have ample opportunity to review or consider such information.

4.3d Study Issues

If there is a study issue for Board consideration, this may be done in a work session or special meeting of the Board, not at a regular Board meeting.

4.4 Rules of Order

The Board shall be governed by rules of order as approved by the Board. Roberts Rules of Order is utilized as a guideline for governing meetings.

4.4a Chairperson Shall Preside

The Chairperson (or Vice-Chairperson in the absence of the Chairperson) shall preside at all meetings. In the absence of the Chairperson and Vice-Chairperson, the Secretary shall be appointed Chairperson Pro-tempore for that Board meeting. The Chairperson Pro-tempore will preside only for that meeting at which the Chairperson and Vice-Chairperson are absent.

4.4b Meeting to Follow Agenda

The Chairperson will present each agenda item for discussion or designate the Director or other staff member to present the agenda item.

4.4c Discussion

A motion is not necessary for Board Members to discuss an agenda item which has been presented by the Board's Chairperson or designated for consideration. In the ordinary course of events, the Board will discuss all matters other than routine procedural questions prior to considering a motion.

4.4d Motions

The Board shall take action by way of motions. No motion may be acted upon until the motion has been duly seconded by a Board Member. The vote on all motions shall be by "yes," "no" or "abstain" and will be taken either by voice or a show of hands. Following each vote, the Chairperson will announce that the motion carried or failed and the vote tally. The minutes shall indicate whether the motion carried or failed. Each Board Member shall have the privilege of explaining, for the record, any vote.

A. Except as otherwise provided, a motion approved by a majority of those voting shall carry. A motion not approved by a majority vote of those voting shall fail.

B. Split votes shall be noted by name.

C. Any Board Member may declare a conflict of interest or otherwise abstain, leave during discussion, and decline to vote on an issue. In this event, the Board Member shall not be counted as a voting member. The minutes will reflect that the Board Member declared a conflict of interest or otherwise abstained and the Board Member declined to vote on the matter.

4.5 Minutes

Accurate minutes of each Board meeting will be made and transcribed by the Secretary of the Board or a duly authorized designee (Clerk of the Board). The minutes should clearly reflect all motions voted on by the Board. The minutes may not contain a summary of each statement made by Board Members, staff, or guests unless said person requests that his or her remarks be included in the minutes.

4.6 Executive Sessions

Upon formal motion made, seconded and carried, the Board may recess, but not adjourn, the open meeting for a closed or executive session.

Any motion to recess into a closed or executive session shall include a statement of:

A. The justification of closing the meeting

B. The subject(s) to be discussed during the closed or executive session

C. The time and place at which the open meeting shall resume

Such motion shall be recorded in the minutes of the meeting and shall be maintained as a part of the permanent records of the Board. Discussion in the closed or executive session shall be limited to those subjects stated in the motion, and a statement of such shall be announced when resuming the public portion of the meeting.

Only the following subject shall be discussed at any closed or executive session:

- A. Personnel matters of non-elected personnel
- B. Consultation with an attorney for the Board which would be deemed privileged under the attorney-client privilege
- C. Matters relating to employer-employee negotiations whether or not in consultation with the representative(s) of the Board.
- D. Preliminary discussions relating to the acquisition of real property

No binding action shall be taken during any closed or executive sessions, and such closed or executive sessions shall not be used as a means to defeat the purposes of these policies or any law.

4.7 Election of Officers; Duties of Officers

4.7a Election of Officers

The Board Members shall, at the first meeting of each fiscal year at which a quorum is present, elect the following officers to serve for a one-year term or until a successor is elected and qualified: Chairperson, Vice-Chairperson, Secretary.

4.7b Special Elections

In the event of a vacancy occurring in any office, an election may be held at a regular or special meeting of the Board. A notice of such election shall be included in the notice of the meeting.

4.7c Duties of the Chairperson

The Chairperson of the Board shall preside at all meetings of the Board and shall complete all other duties normally performed by said officer and as required by law, including, but not limited to:

- A. calling special meetings.
- B. directing the public forum.
- C. presenting each agenda item for discussion or designating a Board Member, the Director or other staff member to present the agenda item.
- D. following each vote, announcing that the motion carried or failed and the vote tally.
- E. appointing Board Members to Standing Committees.
- F. appointing a Board Member to chair each Standing Committee.
- G. serving ex-officio on all Standing Committees.
- H. presenting prospective members of Advisory Councils for approval by the Board.
- I. appointing Board Member(s) as Advisory Council liaison.

J. appointing Board Member(s) as liaison to any organization the Board decides on with a passing motion.

K. creating special task forces for the purpose of studying and making recommendations to the Board, or a Standing Committee, regarding a specific topic. Such task force would be in place for one (1) year or less, and its composition is at the discretion of the Chairperson of the Commission.

4.7d Duties of the Vice-Chairperson

The Vice-Chairperson shall, in the absence of the Chairperson, perform all duties of the Chairperson of the Board.

4.7e Duties of the Secretary

The Secretary or a duly authorized designee shall keep a complete record of all regular and special Board meetings and have charge of all correspondence and records.

4.7f Ex Officio Members

One member of the Louisburg City Council and one member of the School Board shall act as ex officio members and act as liaison between their respective bodies.

4.7g Recreation Commission Member

Members of the Board shall be responsible for serving the community's interests in the consideration of all matters which are brought before the Board. The Board shall be responsible for overseeing recreational activities within the community and also for assisting the City of Louisburg, Kansas in the planning and development of recreation within the community.

- The Recreation Board is responsible for the selection and evaluation of the Recreation Director and providing input on the other recreation staff.
- The Recreation Board shall be responsible for submitting an annual budget to the Board of Education and City Council of Louisburg for review and approval.
- The Recreation Board shall be responsible for the annual review of existing programs and for using appropriate guidelines and benchmarks to consider applications for new programs.

4.7h Code of Conduct

A. Board Members will respect and promote the welfare of each child, family, employee, Council and Board member and shall not discriminate on the basis of gender, race, ethnicity, culture, religion, or disability.

B. Board Members shall uphold the Board's confidentiality guidelines stated as follows:

1. No information regarding children and families of children enrolled with (program name) will be discussed outside of the work setting or Board meetings.

2. Any discussion within the work setting and at Board meetings will be limited to only that which is necessary and related to program operations or decision-making.

3. No information learned at Board/Council meetings or while conducting Board/Council business may be discussed or used in any way outside of Board/Council activities unless required by law.

C. Board Members will support and participate in a teamwork approach to decision making.

D. Board Members will be respectful to each Board Member and remain sensitive to the fact that each Board Member is an ambassador for the Louisburg Recreation Board.

E. Board Members must have an interest and concern for children and their families.

F. Board Members shall not accept gifts or any type of gratuity except as may be authorized by the Board in compliance with the rules and regulations of the Board, USD 416 of the City of Louisburg as those rules may apply to the Board, or in accordance with Kansas law.

G. Board Members are prohibited from using their position on the Board for purposes that are or may give the appearance of being motivated by a desire for private gain for themselves or others, such as those with family, business or other relationships to the Board.

H. Board Members must not make public statements under the auspices of any agency title without the approval of the Board.

I. Board Members will follow all LRC general operating procedures.

J. Board Members will respect and uphold the legal authority of the Board to establish, review, or revise the standards of conduct for individuals participating on the Board.

K. Board Members will adhere to all City, State and Federal laws.

ARTICLE 5: Committees

The LRC may create committees to perform functions as designated by the Board. Committees shall be created through a resolution approved by a majority vote of the LRC Board Members. Said resolution shall set forth the purpose and duties of the committees. Said resolution may also designate the members of the committee.

ARTICLE 6: Financial

6.1 Fiscal Year

The fiscal year for the Board shall begin January 1 and end on December 31 of the same year.

6.2 Budget

The Board shall adhere to all applicable budget requirements set forth in the Act and amendments thereto and the General Statutes of Kansas. The Board shall prepare an annual budget for the operation of the Board and its recreation system and submit it to Board of Education and City Council of Louisburg for review. Prior to the approval of its budget by the Board of Education and the City Council of Louisburg, the Board shall meet for the purpose of answering and hearing objections of taxpayers relating to the proposed budget and for the purpose of considering amendments to such proposed budget. The Board shall give at least ten days' notice of the time and place of the meeting by publication in any news/media outlet having a general circulation in the taxing district. The public hearing required to be held herein, shall be held not less than ten days prior to the date on which the Board is required to certify its budget to the Board of Education. After such hearing the budget shall be adopted or amended and adopted by the Board and submitted to the Board of Education and City Council of Louisburg for approval in accordance with the Act.

6.3 Disbursements and Purchasing Policy

6.3a Development of Procedures and Policy

The Board shall have the authority to develop procedures for review and approval of disbursements, including purchasing procedures. This duty may be carried out in coordination with the Director. Additional and more specific procedures shall be provided, in written form, to the Board and to staff by the Director. Any procedures developed by the Director shall be supplemental and not superseding these policies and procedures. Any modifications to the procedures outlined below must be brought before the Board for approval.

6.3b Guidelines

Guidelines for procurement shall be set forth by the Board. Factors that will be considered in purchasing decisions include, but are not limited to:

- Quality and service.
- Local buying.
- Cost/quantity buying efficiency.

- Best terms possible

All reasonable, foreseeable expenses must be presented and approved as part of the budget.

6.4 Increase Tax Levy

The Board may adopt a resolution requesting that the Board of Education and the City of Louisburg authorize an increase in the tax levy.

ARTICLE 7: General Provisions

7.1 Indemnification

The Board shall, pursuant to K.S.A. Section 75-6109 and amendments thereto, and subject to the terms and limitations contained therein, defend and indemnify any person who was or is a party or is threatened to be made a party to any threatened, pending or completed action, suit or proceeding, by reason of the fact that such person is or was a director, officer, employee, volunteer or member of the Board, if acting within the scope and course of their employment or duties. Any defense or indemnification of such person in connection with any such action, suit or proceeding shall include indemnification against expenses, judgments, fines and amounts paid in settlement of such actions, suit or proceeding, including attorney fees, provided, however, no settlement for which indemnification is sought shall be made without Board's approval.

7.2 Risk Management

The Board is committed to establish, maintain and effectively manage a comprehensive recreation program for Louisburg School District residents, which is offered in a safe environment with qualified and properly trained employees.

7.3 Policy Prohibiting Certain Political Activity

7.3a Policy Statement

The Board and/or any of its members or staff, acting in their official capacity, shall not endorse, sponsor or support any candidate for an elective public office.

7.4 Conflict of Interest Policy

An actual or potential conflict of interest occurs when a Board Member is in a position to influence a decision that may result in a personal gain for that Member or their immediate family. A Member may announce a conflict of interest with regard to an issue before the board. If so, the Member may leave the meeting until the issue is decided, and if this is done, the Member is recorded as not having voted at all. The Member may also abstain from the vote and therefore be recorded as such. If a Member has an actual or even

potential conflict of interest, the provisions of the Kansas conflict of interest statute should be reviewed because of the possible penalties involved for violations of that statute.

A. Board Members cannot accept compensation from the Board. No Board Member shall accept any position with the Board, any committee or subcommittee thereof, or any organization supervised by the Board, where said position is compensated or where Board Member shall receive any form of monetary compensation for services performed.

B. Board Members cannot enter into contracts with the Board. No Board Members shall enter into any contractual relationship with the Board or any organization supervised by the Board.

C. Board Member's family or business is prohibited from entering into contracts with the Board. No Board Member or any member of a Board Member's immediate family, or any business in which a Board Member or an immediate family member is an owner, employee, director or shareholder (unless such business' stock is publicly traded), shall enter into a contractual relationship with the Board. The term "contractual relationship", as used in this subsection and in the preceding Subsection b, will include, but not be limited to: full-time employment, product sales and service, and consulting for a fee. Part-time employment of Board Member's family is not prohibited, but should be disclosed and be restricted to a non-managerial capacity.

D. Board Member's leadership roles in any Board activities. No Board Member shall be involved in the leadership of activities of any other board, organization supervised by the Board, or Louisburg Community group which may be in competition with the Board for participants or facilities.

E. Board Member's employment with Louisburg Recreation Board. No Board Member shall be employed by the Board.

F. Upon full disclosure to all members of the Board and majority vote of the members of the Board, the Board may permit the provisions of this policy to be waived, in a specific circumstance; however, no Board Member affected by the matter under consideration for which a waiver of the policy is being considered shall participate in the discussion regarding the proposed waiver or the vote of the Board.

ARTICLE 8: AMENDMENT

These Bylaws and Policies may be amended at any Board meeting by a majority vote of the entire Board provided that previous notice of the nature of the proposed amendment is given at the preceding regular Board meeting unless such notice is waived by unanimous consent of the Board.