

REQUEST FOR BOARD ACTION

HENDERSON COUNTY

BOARD OF COMMISSIONERS

MEETING DATE: August 2, 2010

SUBJECT: Revision to the bylaws of the Henderson County Recreation Advisory Board

ATTACHMENT(S): Draft amendment to Bylaws

SUMMARY OF REQUEST:

The Board is requested to amend the bylaws for the Henderson County Recreation Advisory Board. The amendment would allow the Board to hear appeals regarding staff decisions on Parks and Recreation Department policies and procedures as applied to individuals.

County staff will be present and prepared if requested to give further information on this matter.

BOARD ACTION REQUESTED:

Approval of the amendments.

If the Board is so inclined, the following motion is suggested:

I move that the Board approve the amendments to the bylaws for the Recreation Advisory Board.

AMENDMENT TO THE BYLAWS

QUASI-JUDICIAL PROCEEDINGS. Such proceedings shall be ruled by North Carolina General Statute, case law, and the Henderson County Code and the Rules established by the Board of Commissioners.

- A. Areas requiring quasi-judicial proceedings. The Recreation Advisory Board has the authority to hear appeals of staff decisions based on Parks and Recreation Department policies and procedures. Matters concerning such issues may only be determined by the Board after conducting a quasi-judicial proceeding.
- B. Formation of Appellate Committee. The Recreation Advisory Board shall form a sub-group of 3 to 5 members to serve on the Appellate Committee. Members of the Appellate Committee shall be chosen at the same time as Officer elections.
- C. Purposes and Objectives. The purpose of these procedures is to provide an orderly method by which the Committee can hear and decide all quasi-judicial proceedings. The Board's objectives when conducting such proceedings are (1) to conduct all proceedings in a fair and efficient manner, (2) to base all decisions on competent and relevant evidence, (3) to ensure that the applicable policy and procedures are being enforced and administered in a fair and efficient manner, and, (4) to provide the citizens of Henderson County an administrative avenue to contest and appeal decisions made pursuant to the Parks and Recreation Department policies and procedures which adversely affected them.
- D. Notice. Notice shall be provided to the appellant and shall be advertised in the regular meeting notice or special meeting notice.
- E. Rules of Procedure. Each quasi-judicial proceeding must be conducted in substantial conformity with the Henderson County Board of Commissioners procedures for quasi-judicial proceeding.
- F. Decisions. Decisions shall be rendered by the Committee by a majority of the members present required to pass a motion.
- G. Written Findings. Appeal decisions shall be in writing.
- H. Minutes and Maintenance of Records. The minutes for quasi-judicial proceedings shall be taken in detail with detailed summaries of all evidence or testimony presented and statements made by members of the Board. The minutes may be verbatim transcripts of the hearing.