

**TOWN OF CLAYTON
BY-LAWS GOVERNING THE
PARKS & RECREATION ADVISORY BOARD**

ARTICLE I

NAME

- (a) Name. Created was an Advisory Board, created by the Town Council for the Town of Clayton, to be known as the Parks & Recreation Advisory Board (hereinafter referred to as the “Board”). The Board shall continue to serve unless official action is taken by the Town Council to abolish or modify the Board. No action other than majority vote of the Clayton Town Council shall have the effect of abolishing or otherwise ending the purposes, duties, responsibilities, or authorities of the Board.

ARTICLE II

PURPOSE/MISSION

- (a) Purpose. The Board shall serve as the advisory body for the Department of Recreation and the Town. The Board shall serve as a liaison between the Recreation Department, Town Manager, Town Council, and citizens of the community. The Board shall consult with and advise the Recreation Department, Town Manager, Deputy Town Manager and Town Council in matters affecting recreation policies, programs, personnel, and the acquisition and disposal of lands and properties related to the total community recreation program, and its long-range, projected program for recreation.

ARTICLE III

NATURE OF THE BOARD

- (a) The Recreation Board shall assume duties for recreation purposes and make recommendations as follows:
1. For the establishment of a system of supervised recreation for the unit;
 2. To set apart for use as parks, playgrounds, recreation centers, water areas, or other recreation areas and structures, any lands or buildings owned by or leased to the unit, and for approval by the Town Council and may suggest improvements of such lands and for the construction and for the equipping and staffing of such buildings and structures as may be necessary to the recreation program within those funds allocated to the Recreation Department;
 3. Advise in the acquisition of lands and structures through gift, purchase, lease, or loan, or by condemnation through eminent domain, and as approved by the Town Council;

- (b) Advise in the acceptance by the Town of any grant, gift, bequest, or donation of any personal or real property offered or made available for recreation purposes and which is judged to be of present or possible future use for recreation. Any gift, bequest of money or other property, grant, or devise of real or personal property so acquired shall be held, by the town used, and finally disposed of in accordance with the terms under which such grant, gift, or devise is made and accepted; and
- (c) Advise in the construction, equipping, operation, and maintenance of parks, playgrounds, of money or other property, grant, or devise of real or personal property so acquired shall be held, by the recreation centers, and all buildings and structures necessary or useful to Recreation Department function, and advise in regard to other recreation facilities which are owned or controlled by the town or leased or loaned to the Town.

ARTICLE IV

MEMBERSHIP

- (a) Appointments. Board Members shall be selected from applications submitted to the Town of Clayton. Members of the Board shall be appointed by the Clayton Town Council. Membership shall consist of thirteen (13) members. Representation shall be provided for the extraterritorial jurisdiction (ETJ) with as broad a representation of the community as possible. In-town candidates shall have a preference over ETJ candidates. Appointments will be made for this Board through the established procedures in the Appointment to Advisory Boards Procedures policy. (Amend. adopted 10-2-89; Am. Ord. 2019-12-03, passed 12-16-19)
- (b) Interviews. Interviews for this Board shall follow the established procedures in the Appointment to Advisory Boards Procedures policy.
- (c) Ex-officio Member. The Town Council shall appoint a Council Member to serve as an ex-officio member. The ex officio member will not have a vote on items coming before the Board. The Town Council shall also appoint a staff member (liaison) to this Board.
- (d) Length of Appointment. Terms for all members shall be for three (3) years. The terms will begin on January 1st and expire December 31st, except for the ex-officio from the Town Council who will serve concurrent with his/her term of office.
- (e) Terms of Office. Board Members may serve for no more than two consecutive terms. Board Members may be appointed to the Board once a single year has passed since last serving on the Board. Board Members appointed to fill a vacancy may serve two consecutive terms after the expiration of their term. Terms will run on a calendar year.

- (f) Vacancies. Whenever a vacancy occurs by resignation, death, or otherwise, it shall be filled each year by the Town Council, following the procedures in the Appointment to Advisory Boards Procedures policy. The appointee shall serve for the duration of the unexpired term.
- (g) Removal of Members. Any member of the Board may be removed with or without cause, at any time, through a request from the Board to the Town Council or directly by the Town Council.
- (h) Resignation. The resignation of Board Members must be provided in writing to the Clerk's Office.
- (i) Changes to By-Laws. With a majority vote of the membership, proposed changes to the By-Laws shall be submitted to the Town Council for review and approval. Changes to the By-Laws do not take effect until final approval is granted by Town Council.
- (j) Conduct. Members of appointed boards shall, at all times during the course of their board membership, conduct themselves in a professional and ethical manner. Board members shall be respectful to other board members, public officials, and members of the public. They further shall abide by any rules of procedures or other guidelines for the conduct of their boards. Board members shall not use their official positions for personal gain.
- (k) Conflict of Interest. A Board Member must publicly disclose any potential conflict of interest and shall not participate in deliberation or vote on any item where the outcome of the matter being considered is reasonably likely to have a direct, substantial, and readily identifiable financial impact on the Board Member.

ARTICLE V

APPOINTMENT OF CHAIR AND VICE-CHAIR

- (a) Officers. The appointment of a Board Chair and Vice-Chair, for the ensuing year, shall take place at the pleasure of the Board such that they are named at the March meeting each year. The mention of new officers shall be on the January agenda of each year; no action will be taken at this meeting. The Chair and Vice-Chair shall be appointed upon majority vote of the Board. Nominations may be made by any Board member. Officers shall serve a one-year appointment with eligibility for reappointment. In the event an officer's appointment to the Board is terminated, a replacement to this office shall be appointed by the Board at the next meeting.

ARTICLE VI

DUTIES

- (a) Chair. The Chair shall preside at meetings and shall retain full voting rights. The Chair may call a special meeting with a minimum of forty-eight hours written notice to the Board. It shall be the duty of the Chair to provide information for the meeting agendas to the Clerk to the Board, or designee.
- (b) Vice-Chair. The Vice-Chair will serve in the absence of the Chair with all the same authority/rights of the Chair. Should the Chair resign or otherwise become unable to fulfill the duties of office during an elected term, the Vice-Chair shall assume the post.
- (c) Director of Recreation. The Recreation Advisory Board shall advise with the Director concerning the administration of the affairs of recreation. The Director shall be the agent of the Recreation Advisory Board and to that end shall supervise the operation of all the Recreation Department's activities. The Director shall submit a detailed report of the activities and administration of the program of the Recreation Department to each regular meeting for the month prior to the meeting. A copy of this report shall be sent to each member and to the Town Manager.
- (d) Clerk to the Board. It shall be the duty of the Clerk to the Board, or designee, to record the minutes of each. In accordance with G.S. § 143-318.10(e), the Board shall keep full and accurate minutes of all official meetings.

ARTICLE VII

MEETINGS

- (a) Meetings. Regular meetings shall be held by the Board on a date and time based on a calendar adopted annually by the Board and filed with the Town Clerk. This calendar shall be created by the Clerk to the Board or designee. This calendar shall be on the November agenda and voted on by a majority of the Board. In the event no business is pending and no agenda is developed, a meeting may be canceled. In accordance with NC GS 143-318.10, these are official meetings and are open to the public. (Amend. adopted 10-2-89)
- (b) Business of the Board. Business of the Board shall take place in the course of an official meeting. An official meeting shall only take place in the presence of a quorum at regular scheduled or properly called special meetings.
- (c) Special Meetings. Special meetings may be called by the Board Chair or upon written request from a majority of the Board.
- (d) Quorum. A quorum shall consist of a simple majority of the total membership of the Board. A quorum of the Board shall be in attendance before action of an official nature can be taken.

(e) Order of Business. The order of business, unless otherwise noted by the Board Chair, or designee, shall include:

1. Call To Order
2. Approval of Minutes
3. Old Business
4. New Business
5. Staff Reports
6. Adjourn

ARTICLE VIII

ATTENDANCE

(a) Absences. All Board Members are expected to attend regular and special called meetings. An appointed Board Member who misses more than (3) unexcused consecutive regular meetings, or a total of four (4) such meetings during the year, loses his status as a member of the Board. Absences due to sickness, death, or other emergencies of like nature shall be regarded as approved absences and shall not affect the member's status on the Board, except that in the event of a long illness or other such prolonged absence, the member may be replaced. After a Board Member misses more than four unexcused meetings, the Clerk's Office will send a letter of termination to the Board Member and will notify the Town Council Liaison, Parks & Recreation Director, Clerk to the Board and Board Chair.

(b) Attendance Record. The Clerk to the Board, or designee, shall maintain the attendance record, including attendance at regular meetings, work sessions, and special called meetings.

ARTICLE IX

COMMITTEES

(a) Establishment of Special Committees. Committees will be established by majority vote of the Board as needed to best conduct the business of the Board. The Board Chair will appoint committee members, and members of the committee may contain persons not serving on the Board. Each Committee Chair shall be appointed by the Board Chair. Committees may be established as needed.

ARTICLE X

REPORTS

(a) Board Chair Reports. The Board Chair will ensure an Advisory Board report is provided to the Town Council at least annually. This report will address activities, recommendations and/or issues of concern. In the event there is nothing to report to the Town Council, then the Board Chair will send an email or written memo to the

Mayor with copies to the Town Manager and the members of the Board. This report shall be reported to the Town Council by February of each year.

Parks and Recreation Advisory Board By-Laws, Resolution #2023-96 passed
12/4/2023; Resolution #2024-01 passed 1/2/2024;
Resolution #2024-118 passed 12/16/2024