



NEWAYGO COUNTY PARKS AND RECREATION COMMISSION BYLAWS

ADOPTED SEPTEMBER 9, 1997

REVISED DECEMBER 27, 2017

REVISED AUGUST 14, 2024

REVISED AUGUST 26, 2026

AUTHORITY

The Newaygo County Parks and Recreation Commission was formed and shall operate under Act #261 of the Public Act of 1965 as amended; 46.351 through 46.366.

Amendments 1966 - Sec. 46.353, 46.357 and 46.360

DEFINITIONS

“Parks Commission” refers to the Newaygo County Parks and Recreation Commission described in these bylaws.

“Parks Board” refers to the 10 current Newaygo County Parks and Recreation Commission members.

“Budget” refers to the Annual Fiscal Plan regarding anticipated revenues and expenditures as adopted by the Newaygo County Board of Commissioners.

“Committee” refers to the Committee described in this agreement. Refers to committees created by the chair and approved by the parks board.

“Fiscal Year” refers to Newaygo County’s fiscal year.

MEMBERSHIP

The Newaygo County Parks Commission is made up of a ten-member board. Three members are assigned by statute while the County Board of Commissioners appoint the remaining seven.

Members by Statute:

1. The chairperson of the county road commission or another road commissioner designated by the board of county road commissioners.
2. The county drain commissioner or an employee of the drain commissioner's office designated in writing by the drain commissioner.

3. In a county with a population of 1,000,000 or less, the chairperson of the county planning commission or another member of the county planning commission designated by the county planning commission.
 - a. In a county that does not have a county planning commission, the chairperson of the regional planning commission shall serve on the county parks board if that person is a resident of that county.
 - b. If the chairperson of the regional planning commission is not a resident of that county, then the board shall, by a 2/3 vote, appoint a member of the regional planning commission who is a resident of that county to serve on the county parks and recreation commission.

Members Appointed:

Seven members shall be appointed by the County Board of Commissioners. At least one, and not more than three, shall be members of the County Board of Commissioners.

Appointed members shall hold office for a three-year term and until their successors are appointed and qualified. All members shall be sworn in.

General Rules

If any member of the Parks Board is absent from three (3) consecutive regularly scheduled meetings, such absence shall be grounds for removal of that member from the Parks Board.

Each January, the Parks Commission shall elect a Chair, Vice-Chair and Secretary from its membership who shall hold office for the current calendar year and until their successors are elected and qualified.

Any vacancy shall be filled by appointment from the County Board of Commissioners for the unexpired term.

A majority of members of the Parks Board shall constitute a quorum for the transaction of business.

The Parks Board receive per diem as set by the County Board of Commissioners for all meetings where minutes are taken.

Extra work by Chair or any board member where there are no minutes taken must have prior approval of the Executive Committee and will be paid on expense vouchers filled out and signed by the Parks Board member and Chair.

PARK COMMISSION MEETINGS

Regular January - Date set by Chair
Organizational Meeting - Election of Officers, Approve/establish meeting date
calendar for the current year, Review Bylaws
Agenda - Call to Order
Public Comment
Motion to Approve Agenda
Motion to Approve Previous Meeting Minutes
Financial Update Report
Motion to Accept Financial Update Report
Motion to Ratify Accounts Payable
Conference Reports
Parks Directors Report
Old Business
New Business
Miscellaneous
Adjournment

The Newaygo County Parks Board will meet once a month, except for the months of July and September. Specific times and dates will be decided at the January organizational meeting and are subject to change with a 2/3 vote of the Newaygo County Parks and Recreation Board.

The Chair may call special meetings. The only business that may be conducted is that which the meeting is called for.

EXECUTIVE COMMITTEE

Chair, Vice Chair, Secretary, and one (1) other member appointed by the At Large Parks Commission.

Duties: As assigned by the full Board.

The Director meets with all committees, full Board and Executive Committee. The Director or designee keeps minutes.

STRUCTURE: The Duties and Responsibilities of Officers:

CHAIR:

1. To moderate all regular, special, and Executive Committee meetings.
2. To call special meetings with proper notification.
3. To recommend appointment of all committee member assignments to be approved by the board.
4. To sit as an ex-officio member on all committees and Chair of the Executive Committee.

5. To consult with the Director concerning any major decisions regarding the Department.

VICE-CHAIR:

To act in the capacity of Chair in the absence of that officer and serve as a member of the Executive Committee.

SECRETARY:

To service as a Member of the Executive Committee.

COMMITTEES

(All Committee meetings must have minutes and are publicly posted at least 18 hours in advance to comply with Michigan Open Meetings Act 267 of 1976. Recommended to meet once per year or more as approved by board chair)

GRANTS / PARKS AND RECREATION PLAN COMMITTEE / BYLAWS: 3 Members Appointed by Chair

Mission:

Assists the Parks Director in updating the Parks and Recreation Plan every 5 years. Assists the Parks Director in researching, overseeing and applying for grants. Assist and review suggestions to bylaws and to bring forth recommendations to the board for 2/3 vote.

SPECIAL EVENTS COMMITTEE: 3 Members Appointed by the Chair

Mission:

Inform, promote, or otherwise raise the level of awareness concerning the existing and potential recreation resources, facilities, programs, and to further convince the public their participation and utilization is worthwhile.

LONG-RANGE PLANNING COMMITTEE: 3 Members Appointed by the Chair

Mission:

Study existing facilities and future needs to develop alternatives for rational decisions by the public and private sectors. Such a plan will be representative of what people want, imaginative in projecting what might be, and realistic in recognizing what is possible.

FINANCE COMMITTEE: 4 Members, (Board Chair and 3 Members Appointed by the Chair)

Mission:

The Commission shall establish rates or fees for the facilities and services at a reasonable time prior to the effective date of said rates or fees, so that fair and proper notification may be available to the users.

DRAGON TRAIL COMMITTEE: 2 members, (Board Chair and 1 Member Appointed by the Chair)

Mission:

To represent the Parks Board on this inter-local committee in conjunction with the Mecosta County Park Commission. This committee shall oversee all actions and funds regarding the Dragon Trail located in Newaygo and Mecosta Counties and make recommendations to both Park Commissions.

BUILDING AND GROUNDS COMMITTEE: 3 Members Appointed by the Chair

Mission:

To examine, discuss, develop and inform on current conditions, immediate needs, and eventual priorities to ensure the longevity of grounds and facilities with a focus on quality, fiscal responsibility and user needs.

PERSONNEL

Parks Director:

The Parks Director will perform duties under the direction of the County Administrator and Parks Commission. Employment decisions for the Parks Director including, but not limited to, hiring, discipline, promotion and termination, shall be at the sole discretion of the County Administrator. The Parks Director shall be considered a County Department Head and must abide by established County policies and procedures including, but not limited to, the Newaygo County Personnel Manual. The Board of Commissioners establishes compensation and fringe benefits. As a Department Head, the Parks Director is salaried and exempt from overtime under the Fair Labor Standards Act (FLSA). The Parks Director shall receive an annual review.

Other Park Personnel:

In conjunction with the County Administrator, employment decisions including, but not limited to, hiring, discipline, promotion and termination, for all other county park personnel shall be made by the Parks Director. All park personnel shall be considered hourly County employees and must abide by established County and departmental policies and procedures including, but not limited to, the Newaygo County Personnel Manual. The County Board of Commissioners establishes compensation and fringe benefits.

FISCAL ADMINISTRATION

BUDGET/FINANCES

For each fiscal year, the Parks Board will review the recommended Parks Department budget prepared by the Parks Director and approved by the Finance Committee. The Board of Commissioners will adopt an annual General Appropriations Act as formal approval of the budget. Financial reports are presented by the Parks Director to the Parks Commission at all regular meetings.

ANNUAL AUDIT

All Parks Department finances and expenditures shall be included with the Newaygo County annual audit.

NEWAYGO COUNTY POLICIES

The operations of the Newaygo County Parks Department shall be in conformity with all Newaygo County operational, procedural fiscal and personnel policies. All county park personnel, including the Director, shall be subject to the County's personnel policy or procedures.

The County Board shall have the right to subject the Parks Commission to additional County procedures or regulations or modify, add to, alter or delete the existing policies or procedures at its discretion. Said policies or procedures may be modified at any time with or without notice by the County Board of Commissioners.

MISCELLANEOUS

BYLAW CHANGES

The Newaygo County Parks Commission Bylaws may be amended upon written recommendation of a change by any member to be presented to the Bylaws Committee for recommendation. An affirmative vote by two-thirds (7) members of the Newaygo County Parks Commission signifies adoption of the proposed change.

SEVERABILITY

This document shall be interpreted in a manner consistent with applicable law. If any portion is held to be illegal, invalid or unenforceable, the remainder of the agreement shall be severable and shall remain in full force and effect.

APPEAL PROCEDURE

Patrons may appeal (1) a decision to limit or suspend privileges or (2) the conditions placed on reinstatement, by sending a written appeal to the Parks and Recreation Director within ten (10) business days of the date of the suspension or trespass. The Director will notify the Chair of the Parks and Recreation Commission of the appeal request.

I. Appeal is requested by violator in writing to the Parks and Recreation Director.

II. The Board Chair will set an appeal hearing date, time, and location and mail the violator a letter describing the location, date and time. The hearing may not be sooner than 7 days after the letter is sent to the violator.

1. If the violator cannot attend the hearing, they may request the hearing be conducted over the phone or other audio or video conferencing platform, or submit a written appeal to be reviewed during the hearing
2. If the violator fails to appear at the hearing or file an appeal within the ten (10) day appeal period, the original decision is final and may not be re-appealed.

III. The Executive Committee or appointees hearing the appeal will review the incident reports, interview staff or witnesses and listen to and/or read the violator's appeal at the scheduled appeal hearing.

IV. At the next scheduled Parks Board meeting, the Executive Committee will make a recommendation to do the following to the Parks Board: overturn the original decision, modify the penalty, or affirm the original decision. The Parks Board will not hold another hearing on the appeal.

V. The Parks Board will then vote to approve, deny or modify the Executive Committee's recommendation at the next available Parks Board meeting following the appeal hearing. The Parks Board may ask the appellant/violator questions regarding the appeal, but the appellant/violator is not entitled to make further presentation on the appeal other than during the general public comment portion of the Parks Board meeting.

VI. All decisions voted on by the Parks Board are final and may not be re-appealed.