

# **PARKS AND RECREATION COMMISSION OF FREDERICK COUNTY, MARYLAND**

## ***BYLAWS***

### **ARTICLE I. NAME**

The name of this organization shall be the Parks and Recreation Commission (“Commission”).

### **ARTICLE II. PURPOSE**

The Commission shall act as an advisory body to the Frederick County Executive, County Council, and the Division of Parks and Recreation (“County” or “Division”). The Commission seeks to secure the harmonious development of County Parks and Recreation for the benefit of its present and future inhabitants.

### **ARTICLE III. AUTHORITY**

The authority of the Commission is derived from the Annotated Code of Maryland, Local Government Article, §1-606, and the Chapter 1-12, Article II of the Frederick County Code.

### **ARTICLE IV. POWERS AND DUTIES**

The Commission shall serve an advisory role to Frederick County Government. Among its responsibilities and duties, the Commission shall:

(A) Make recommendations as appropriate regarding:

- (1) General policy relating to parks and recreation for the County;
- (2) The park land for the County;
- (3) Properties over which the County has jurisdiction;
- (4) Recreation programming for the County;
- (5) Park master plans;
- (6) Community Grant Program applications and awarding funds; and

(B) Obtain input and represent the parks and recreation needs and interests of Frederick County citizens.

### **ARTICLE V. MEMBERSHIP**

Section 1. Subject to confirmation by the County Council, the Commission shall consist of eight (8) persons appointed by the County Executive, plus one (1) member of the Board of Education and one (1) member of the County Council, for a total of ten (10) members. All planning regions are to be represented, however, if there are no applications from interested and qualified persons in an unrepresented planning region, the County Executive may appoint an

interested and qualified person from another planning region of the county. All appointees must be registered voters in Frederick County. All members are voting members.

Section 2. The term of office of each of the members shall be for a period of four (4) years. Appointment to fill a vacancy shall be for the remainder of the unexpired term. Members shall continue in office until their successors are appointed and qualified.

Section 3. A member may resign at any time by giving notice to the Executive Committee or Chair. Unless otherwise specified in the notice, the resignation shall take effect upon receipt thereof by the Executive Committee or Chair. Acceptance of the resignation shall not be necessary to make it effective. Any voting member of the Commission who fails to attend at least fifty percent (50%) of the meetings during any period of six (6) consecutive months shall be considered to have resigned.

Section 4. The Commission shall review all applications for membership and make recommendations to the County Executive regarding appointments and reappointments to the Commission.

Section 5. Commission members shall receive no compensation for their services but may be reimbursed for expenses actually and necessarily incurred by them in the performance of their duties within the amount made available by the appropriation for such purposes.

## **ARTICLE VI. OFFICERS AND DUTIES**

Section 1. The officers of the Commission shall minimally consist of a Chair and a Vice Chair. The Commission shall have such other officers as the Commission may deem necessary, and such officers shall have the authority prescribed by the Commission. One person shall not hold more than one office.

Section 2. The officers shall have the following duties:

- The Chair shall preside over all meetings and act as the chief executive of the Commission. He or she may sign instruments, which the Commission has authorized to be executed, and shall perform all duties incident to the office of chair as may be prescribed by the Commission. The Chair or Chair's designee, in collaboration with County Staff, will develop and distribute the agenda and any materials related to Commission business five (5) days in advance of a Commission meeting.
- The Vice-Chair shall perform the duties of the Chair in his or her absence, or when unable to serve.
- At least one of the officers of the Commission must receive State-approved training on the Maryland Open Meetings Act.

Section 3. At the regular meeting in the month of July, the members of the Commission shall select a Chair and Vice-Chair from its County Executive-appointed membership. The Chair and Vice-Chair shall serve for a 1-year term and are limited to two (2) consecutive terms in office.

Section 4. An officer may resign their office at any time by giving written notice to the Chair

of the Commission or, in the case of the resignation of the Chair, to the Vice Chair. Such resignation shall take effect at the time specified in the notice or, if no time is specified, then immediately.

Section 5. An officer may be removed as an officer, with or without cause, by a majority vote of the Commission members at any regular meeting, or at a special meeting of the Commission called expressly for that purpose.

Section 6. A vacancy in any office shall be filled by a majority vote of the Commission.

## **ARTICLE VII. STAFF**

Section 1. The County Executive or Division of Parks and Recreation may furnish staff assistance to the Commission and may furnish staff support to the Commission's committees and work groups as reasonable. County Staff assigned to the Commission shall be trained on the requirements of the Maryland Open Meetings Act. In coordination with the Chair and Vice Chair, Staff will schedule meetings, develop and distribute agendas, and record and distribute minutes for the Commission.

## **ARTICLE VIII. MEETINGS**

Section 1. The Commission shall meet monthly at a regularly scheduled date. Meeting dates, times and locations shall be determined by a majority of the Commission and shall be in Frederick County, open to the public, and accessible to persons with disabilities.

Section 2. Special meetings, workshop sessions, retreats, work sessions of the Commission may be called by the Chair at any time or at the written request of a majority of the current members. Reasonable notice shall be given to all members of the date, time, place and reason for such special meeting.

Section 3. All meetings and notices shall comply with the requirements of the Maryland Open Meetings Act.

Section 4. The presence, in person or remotely, of five (5) Commission members shall constitute a quorum for the transaction of regular business.

Section 5. Meetings shall be conducted in accordance with the most recent version of Robert's Rules of Order.

Section 6. Agendas for each Commission meeting shall be developed by the Chair and designated County Staff member and provided to the members in advance of the meeting. The agendas will be posted to the County website before each meeting, as required by the Maryland Open Meetings Act.

Section 7. The order of business at regular meetings shall be substantially as follows.

- Call to order
- Establishment of a quorum
- Approval of minutes of previous meetings
- Old business
- Presentation(s)
- Committee reports
- New business
- Announcements
- Public comment (if permitted)
- Adjournment

Section 8. Public comments may be accepted after all agenda items have been discussed. Public comments shall be limited to three (3) minutes per individual or organization. Written comments must be sent via electronic mail at least 48 hours in advance of the Commission meeting in order to be considered by the Commission.

Section 9. The minutes of all Commission meetings, including a record of those in attendance, excused and unexplained absences, shall be kept by the County Staff. Copies of such minutes shall be sent to all members of the Commission prior to the next meeting. The Division will retain the minutes for at least the minimum time-period required by the Maryland Open Meetings Act. Minutes will be posted to the Frederick County Government website following approval by the Commission.

## **ARTICLE IX. COMMITTEES**

Section 1. There shall be an Executive Committee consisting of the Chair and Vice Chair. The Executive Committee has the power to act on behalf of the Commission between meetings if action or a decision is necessary prior to the next meeting and shall report its action to the Commission. To the extent permitted by the Maryland Open Meetings Act, the Executive Committee may conduct an emergency vote by telephone only after other available options have been considered.

Section 2. The Chair of the Commission may create Standing Committees and appoint their chairpersons as needed from the membership of the Commission and shall assign the responsibilities of these committees. The Chair may also establish ad hoc committees to assist in carrying out the Commission's responsibilities. Standing and ad hoc committees may include non-voting members. The chairperson of an ad hoc committee must be a voting member of the Commission duly appointed by the Chair of the Commission.

Section 3. The quorum for a committee is a majority of the membership of the committee.

## **ARTICLE X. CONDUCT OF COMMISSION MEMBERS**

Section 1. Representing the Commission. A member shall not speak, offer testimony, or present written or verbal comments on behalf of the Commission except as authorized by a vote of the Commission. In any public or private statement concerning Commission affairs, members shall indicate whether they are speaking as an authorized representative of the Commission or for themselves. A member shall not speak, offer testimony, or present written or verbal comments regarding closed session items.

Section 2. Conduct at Meetings. Members shall conduct themselves at Commission meetings in a fair, understanding, and courteous manner. They shall seek to be considerate of all individuals, attitudes, and differences of opinion involved in official Commission business.

Section 3. Gratuities and Entertainment. Members shall not accept gifts or compensation from any person or entity involved in matters that come before the Commission or matters which may reasonably be anticipated to come before the Commission.

Section 3. Conflict of Interest. Members of the Commission shall comply with the Frederick County Ethics Ordinance (Frederick County Code, Chapter 1-7.1) and, if unclear, as interpreted by the Office of the County Attorney. In the event of a possible conflict of interest, it shall be the responsibility of the member to bring the possible or actual conflict to the attention of the Chair. In any case where there is an actual conflict of interest, the member shall be recused and shall not participate as a member in the matter and must leave the room in which the Commission is meeting.

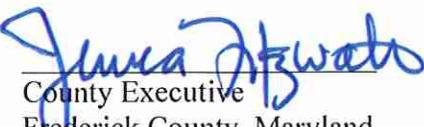
## **ARTICLE XI. ADOPTION AND AMENDMENT OF THE BYLAWS**

Section 1. The bylaws shall not take effect until approved by a majority of the voting Commission members and approved by the County Executive.

Section 2. The bylaws may be amended at any meeting of the Commission by an affirmative vote of at least two-thirds (2/3) of the voting members of the Commission, provided the amendments have been submitted to the members in writing at a previous meeting and reviewed by the Office of the County Attorney.

Section 3. Copies of these bylaws and a list of current members shall be provided to all members and will be posted on the County website. The bylaws and the membership lists are public records.

Approved:

  
Anna M. Edwards  
County Executive  
Frederick County, Maryland

7/22/24  
Date