

Ordinance #21-01
An Ordinance Amending Ordinance #91-3:
An Ordinance Establishing a County Housing and Redevelopment Commission for the
Administration of HUD Section Eight (8) Existing Certificate, Voucher,
Moderate Rehabilitation and Other Related Housing Programs

Be it ordained by the County Commission of County of Brookings, South Dakota, as follows, to-wit:

Article I
Brookings County Housing and Redevelopment Commission

Section 1. Created

There is hereby created and established in and for the County of Brookings a County Housing and Redevelopment Commission to administer, contract, control and supervise HUD Section Eight (8) Existing Certificate, Voucher, Moderate Rehabilitation and other related housing programs through the use of municipal, county and federal funds, and to exercise any and all powers conferred by SDCL Chapters 11-7 and 11-7A.

Section 2. Composition & Appointment

The Housing and Redevelopment Commission shall be composed of five (5) commissioners. The members shall be made up of at least one (1) resident of the City of Brookings, at least one (1) resident that resides outside the City of Brookings and one (1) County Commissioner. The members shall be appointed by the Chairperson of the Board of County Commissioners, with the approval of the County Commission.

Section 3. Terms

The members shall be appointed for five (5) year terms, beginning January 1st of each year. Each vacancy in an unexpired term shall be filled in the same manner in which the original appointments were made.

Section 4. Ex-Officio Members

The Brookings County Human Services Director shall be assigned as an ex-officio member of the Housing and Redevelopment Commission.

Section 5. Meetings

The Housing and Redevelopment Commission shall hold meetings as necessary to complete such business as from time to time may come before it. Official meetings shall be in accordance with SDCL 1-25-1. Special meetings may be called at any time by the Chairperson by giving at least twenty-four (24) hours advance notice in accordance with SDCL 1-25-1.1.

Section 6. Quorum of Commission/Officers/Rules

The powers of the Housing and Redevelopment Commission shall be vested in the commissioners thereof in office at any time; a majority of whom shall constitute a quorum for all purposes. Each commission shall select a Chairperson, a Secretary and a Treasurer from among its commissioners, who shall hold their offices respectively for one (1) year and until their successors have been appointed. The Commission shall adopt such by-laws and other rules for the conduct of its affairs as it deems appropriate.

Section 7. Expenses of Commissioners

No commissioner shall receive compensation for their services, but each commissioner shall be entitled to receive necessary expenses, including traveling expenses, incurred in the performance of their duties based upon current state rates.

Section 8. Commission as Body Corporate/General Powers

The Housing & Redevelopment Commission shall be a public body corporate and politic, exercising public and essential governmental functions, and shall have all the powers necessary or convenient to carry out the purposes set forth herein, together with the powers granted by SDCL Chapter 11-7 and 11-7A, inclusive, but the Commission shall not have the power to levy or collect taxes or special assessments. The Housing and Redevelopment Commission shall have the power and authority to superintend, manage, administer and control federal housing programs within its jurisdiction, including the power to contract with individuals, public or private firms, to administer said housing program on behalf of the Commission.

Section 9. Collection of Funds

All funds and revenues derived from the operation of the Housing & Redevelopment Commission may be collected by the Brookings County Finance Office, or such other officer as shall be appointed by such Commission.

Section 10. Reporting

In accordance with SDCL 11-7-106, the Commission shall keep an accurate account of all its activities and of all its receipts and expenditures and shall annually in the month of January make a report thereof to the auditor-general and to the Brookings County Board of County Commissioners.

Article II

This ordinance is intended to amend Ordinance #91-3, to the extent such ordinance is inconsistent with this ordinance it is hereby repealed. All other ordinances in conflict herewith are hereby repealed.

This ordinance is based upon Resolution #91-10, adopted by the Brookings County Board of County Commissioners on March 19, 1991 and Resolution #91-11, adopted by the Brookings County Board of County Commissioners on April 2, 1991. The housing needs addressed in those Resolutions continue today and those Resolutions remain in effect.

Dated this _____ day of _____, 2021.

ATTEST:

Larry Jensen, Chairperson
Brookings County Commission

Lori Schultz, Brookings County Finance Officer

FIRST READING: Tuesday, March 2nd, 2021
SECOND READING: Tuesday, April 6th, 2021
ADOPTED: Tuesday, April 6th, 2021
PUBLICATION DATE: Thursday, April 15th, 2021
EFFECTIVE DATE: Wednesday, May 5th, 2021