

**97.035 Establishment of joint system of recreational facilities -- Joint board -- Effect of compact -- Effect on joint department upon establishment of consolidated local government.**

- (1) If two (2) or more political subdivisions determine to jointly establish, maintain, and conduct a park and recreation system or systems, which may include but shall not be limited to the establishment, maintenance, and conduct of zoos and museums, the legislative bodies of such counties, cities, or other districts involved may by ordinance, order, or resolution approve a plan for the establishment of such joint project and for the creation of a joint board representative of the subdivisions involved, and possessed with all the powers and duties of KRS 97.010 to 97.050. This subsection authorizes the creation of a joint board by any two (2) or more cities or any city and county for purposes of establishment, maintenance, and conduct of zoos and the creation of another joint board for purposes of establishment, maintenance, and conduct of museums.
- (2) Except in a county containing a consolidated local government, such board shall consist of not less than five (5) members. The plan shall provide for distribution of membership and all participating governmental units shall have representation thereon. The members of the board shall be appointed by the county judge/executive, mayor of the city, or governing body of the district, as the case may be, for terms of four (4) years to serve at the pleasure of the appointing authority. Vacancies shall be filled for unexpired terms by appointment of the authority appointing the member whose office is vacant. The terms of office of such members shall be staggered as provided by order or resolution of the political subdivisions concerned. Members of the board shall serve without compensation but shall be reimbursed for necessary expenses incurred in the performance of their duties.
- (3) The board shall be a body corporate for all purposes, and shall elect from its membership a chairman, secretary, and treasurer. The treasurer shall execute a bond conditioned on the faithful performance of his or her duties sufficient in amount to cover funds coming into his or her hands. The premium on such bond shall be paid from board funds.
- (4) Any park, playground, or recreation system operated jointly by two (2) or more political subdivisions as provided in KRS 97.010 (2), on June 19, 1958, shall be governed by this section.
- (5) Notwithstanding subsections (1), (2), and (3) of this section, when a city of the first class and a county containing such city have in effect a compact under KRS 79.310 to 79.330, such city and county shall by joint action create a joint city/county department to maintain and conduct a park and recreational system or systems. In such event, the board shall be dissolved as a corporate entity and all assets and liabilities of the board shall be transferred to the joint department. An advisory board may be established by joint agreement of such city and county. Upon the establishment of a consolidated local government in a county where a city of the first class and a county containing such city have had in effect a cooperative compact pursuant to KRS 79.310 to 79.330, the joint department shall become a department of the consolidated local government and all assets and liabilities of the

joint department shall be transferred to the consolidated local government. An advisory board may be established or maintained by a consolidated local government. Members of the advisory board shall be appointed pursuant to the provisions of KRS 67C.139 and shall serve at the pleasure of the mayor of the consolidated local government.

**Effective:** July 15, 2002

**History:** Amended 2002 Ky. Acts ch. 346, sec. 119, effective July 15, 2002. -- Amended 1986 Ky. Acts ch. 77, sec. 18, effective July 15, 1986. -- Amended 1978 Ky. Acts ch. 382, sec. 2, effective June 17, 1978. -- Amended 1976 (1st Extra. Sess.) Ky. Acts ch. 20, sec. 6, effective January 2, 1978. --Created 1958 Ky. Acts ch. 124, sec. 4, effective June 19, 1958.