

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.

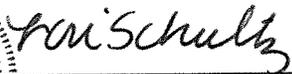
This ordinance is based upon Resolution #91-10, adopted by the Brookings County Board of County Commissioners on March 19, 1991 and Resolution #91-11, adopted by the Brookings County Board of County Commissioners on April 2, 1991. The housing needs addressed in those Resolutions continue today and those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

Dated this 10th day of April, 2021.



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

RESOLUTION NO. 91-10

A RESOLUTION PROVIDING FOR A HEARING TO DETERMINE
THE NEED FOR A HOUSING AND REDEVELOPMENT COMMISSION

WHEREAS, the South Dakota County and Municipal Housing and Redevelopment Law, SDCL Chapter 11-7, creates a "Housing and Redevelopment Commission" in each County, and provides that such a Commission shall not transact any business or exercise any powers until the governing body of the County by resolution shall declare that there is need for a Commission to function in such County,

THEREFORE, BE IT RESOLVED by the Board of County Commissioners of the County of Brookings, South Dakota;

That on the 2nd day of April, 1991, at 9:30 o'clock a.m., at the Commission Chambers in the Brookings County Courthouse, Brookings, South Dakota, being the time and place of a regular meeting of the Board of County Commissioners of Brookings County, South Dakota, this body shall determine:

(a) Whether slum or blighted areas exist in Brookings County, South Dakota, or;

(b) Whether unsanitary or unsafe inhabited dwelling accommodations exist, or;

(c) Whether there is a shortage of decent, safe and sanitary dwelling accommodations in Brookings County, South Dakota, available to persons of low income at rentals or prices they can afford,

That at such meeting a public hearing will be held on these matters,

That all interested persons be and hereby are invited

to attend said hearing and present evidence to this body,

That the Auditor be and he hereby is directed to cause this resolution to be published for one publication in each of the following: Brookings Register, Elkton Record and Volga Tribune, the legal newspapers published in Brookings County, South Dakota,

The motion to adopt the resolution was made by Commissioner Sherry DeBoer and seconded by Commissioner Lloyd Sterud and upon roll call the following voted YEAS 4, NAYS 0, ABSTAIN 1.

Thereupon the Chairman declared said resolution duly adopted and passed.

Dated: March 19, 1991.


Chairman

ATTEST:


Brookings County Auditor

RESOLUTION NO. 91-11

A RESOLUTION DECLARING THE NEED FOR A HOUSING AND REDEVELOPMENT COMMISSION IN BROOKINGS COUNTY, SOUTH DAKOTA.

Pursuant to Resolution No. 91-10 adopted by this body on the 19th day of March, 1991, a hearing has been held by the Brookings County Commission at Brookings, South Dakota, to determine the need for a Housing and Redevelopment Commission to function in such Brookings County.

Whereas, facts have been submitted to this body showing that there is need for a Housing and Redevelopment Commission to function in Brookings County, South Dakota.

THEREFORE, BE IT RESOLVED BY THE COUNTY COMMISSION OF THE COUNTY OF BROOKINGS, SOUTH DAKOTA

That the County Commission of Brookings County, South Dakota pursuant to the "County and Municipal Housing and Redevelopment Law" of the State of South Dakota, hereby finds, determines and declares:

1. There exists in Brookings County, South Dakota Slum or blighted areas;:
2. Unsanitary or unsafe inhabited dwelling accommodations exist in Brookings County, South Dakota;
3. There is a shortage of decent, safe and sanitary dwelling accommodations available to persons of low income and their families at rentals they can afford;
4. It is hereby declared that there is a need for a Housing and Redevelopment Commission to function in Brookings County, South Dakota, and said need continues to exist.

The motion to adopt such resolution was seconded by
Commissioner Telkamp, and upon roll call the
following voted:

YEAS: DeBoer, Sanderson, Strud, Telkamp, _____

NAYS: Larson _____

Thereupon the Chairman declared said resolution duly
adopted and passed.

PASSED: April 2, 1991 _____

[Signature]
Chairman

(SEAL)

Attest:

[Signature]
Brookings County Auditor