

FLOYD COUNTY ORDINANCE 2012 - X

AN ORDINANCE REDUCING, EXPANDING, AND RECONSTITUTING BOARD SEATS OF THE BOARD OF TRUSTEES OF FLOYD MEMORIAL HOSPITAL AND HEALTH SERVICES

WHEREAS, the present Board of Trustees of Floyd Memorial Hospital and Health Services (the "Board") has petitioned the Board of County Commissioners of Floyd County (the "Commissioners") to first reduce and then to expand the board so as to reconstitute more evenly the terms of office of the Board;

WHEREAS, the same evidence that caused the Commissioners to enact Ordinance No. 2006-IX, Expanding the Board, is also found to be supportive of reconstituting the terms of each board seat of the Board, and the Commissioners find that the hospital Board has improved in diversity, community representation, received opportunities for input of opinions and expertise from a broader range of perspectives, and has made Board membership more attractive to a broader range of talented and interested individuals, and

WHEREAS, the Board has *already* been expanded from 4 to 7 members, and

WHEREAS, Indiana Code 16-22-2-7(a) from provides that the governing board of a county hospital may be no more than 9 members, and subsection (c) says there is no limit to the number of *times* that a governing board may seek to increase its size, and

WHEREAS, the only legal way to change Board seat terms to allow there to be only one year in which more than 2 Board seats become vacant is to reconstruct the terms by decreasing and then increasing the number of Board seats and appointing for a one year term, or the remainder of the 2012 term, 2 Board members who have already been appointed for 2012 to serve until 2016, resulting in only 2 seats being vacant in 2016, and

WHEREAS, the Commissioners are persuaded that the decreasing, increasing and reconstituting the Board seats as described herein is in the best interest of the community.

IT IS HEREBY ORDAINED that Floyd County Ordinance dated October 15, 1947, and Floyd County Ordinance dated November 21, 2006, should be and are hereby amended to decrease the size of the Board from its current 9 members to 7 members and to contemporaneously increase the size of the Board to 9 members.

IT IS HEREBY FURTHER ORDAINED, that all members of the current Board shall be retained for the duration of their terms, except Mr. Marc McCormick and Dr. Guy Wall, who have conditionally resigned in order to make the requisite vacancies to first reduce the size of the Board and then to increase the size of the Board.

IT IS HEREBY FURTHER ORDAINED that pursuant to IC 22-12-2-7(a)(6) the two *new* members shall be appointed for a 1 year term ending on December 31, 2012, after which time they shall be retained or replaced for a term of 4 years, unless they die, resign, or are removed pursuant to statute in the interim, in which case they shall be replaced pursuant to statute at that time.

IT IS HEREBY FURTHER ORDAINED that the two new members shall be Mr. Marc McCormick and Dr. Guy Wall, PhD.

IT IS HEREBY FURTHER ORDAINED that the Commissioners reaffirm in all respects all of the other provisions of Floyd County Ordinance dated October 15, 1947, and Floyd County Ordinance dated November 21, 2006.


ORDAINED and ESTABLISHED THIS 16th DAY OF October, 2012.

(See 10/2/12 Commissioners Minutes)


Steve Bush, President


Charles A. Freiberger, Commissioner


Mark Seabrook, Commissioner


Darin E. Coddington, Auditor