

# **Coshocton County Regional Planning Commission**

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## **BY-LAWS & Resolution of Cooperation**



Coshocton County Regional Planning Commission  
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# **BY-LAWS**

Revised and adopted April 2004

BY-LAWS OF THE  
COSHOCOTON REGIONAL PLANNING COMMISSION  
PREAMBLE

By virtue of the adoption of a Resolution of Cooperation by the Board of County Commissioners of Coshocton County, Ohio, and by the Planning Commissions of municipalities and the townships within Coshocton County, Ohio, there has been created a Coshocton County Regional Planning Commission vested with powers given to Coshocton County Regional Planning Commissions under the laws of the State of Ohio, particularly Revised Code 713.21 et seq. Subject to the provisions of all applicable statutes, and in order to carry out the duties and functions of the Coshocton County Regional Planning Commission vested in it by virtue of the Resolution of Cooperation and the statutes of the State of Ohio, it hereby is determined to be necessary and desirable that the following By-Laws be adopted:

ARTICLE I- NAME

The name of the Commission shall be the "Coshocton County Regional Planning Commission".

ARTICLE II - OFFICERS

Section 1 EXECUTIVE OFFICERS

The Officers of the Coshocton County Regional Planning Commission shall be President, Vice-President, Treasurer and Secretary.

The President shall preside at all meetings of the Commission and, except to the extent as here and after otherwise provided, sign all written contracts and obligations of the Commission. The President shall appoint all Committees and be ex-officer, a member of all Committees, and shall perform all the duties incident to the Office, and such other and further duties as may from time to time be required by the Commission.

The Vice-President shall perform all the duties of the President in case of his/her absence or disability and such other and further duties as may from time to time be required or requested by the Commission. In the case that the Vice-President and President are absent or unable to perform their duties, the Commission may appoint a President pro-tern who shall have the authority to conduct the meeting of the Commission.

If a Treasurer is elected, the Treasurer shall provide advice and assistance on the development of financial reports and bookkeeping procedures and shall perform such other and further duties as may be required or requested by the Commission. The Treasurer may be, but need not be, a member of the commission. The commission may at its discretion fix a salary for the Treasurer.

The Secretary shall keep or supervise the keeping of all meeting Minutes of the Commission in books provided for that purpose, and shall perform such other and further duties as may be required or requested by the Commission. The Secretary may be, but need not be, a member of the commission. The commission may at its discretion fix a salary for the secretary.

The Commission may appoint or elect such other officers as it shall deem necessary, who shall have such authority and shall perform such duties as from time to time shall be assigned by the Commission.

The term of office from all officers will be from January 1 to December 31 following their election.

## Section 2 NOMINATION/ELECTION OF OFFICERS

On or before November 1 of every year, the President shall appoint a "Nominating Committee" which shall prepare a list of nominations selected from among the members of the Commission to be submitted for election at the December meeting. Additional nominations may be made from the floor by any member of the Commission at the time of the election, but only with prior consent of the nominees. Election shall be by ballot and tally shall be made by the Nominating Committee.

## Section 3 VACANCIES

If any Office, except the office of President, shall become vacant for any reason, the President shall appoint at the next regular meeting a successor to hold Office for the unexpired term. Such appointment shall be subject to confirmation by the Commission.

If for any reason the office of President becomes vacant, the Vice President shall assume the office of President with all the power and duties granted to said office.

## ARTICLE III - MEETINGS

### Section 1 MEETINGS OF THE COMMISSION

The meetings of the Coshocton County Regional Planning Commission shall be held as provided in Article VI of the Resolution of Cooperation. All proceedings of the Commission are governed by Robert's Rules of Order.

### Section 2 ATTENDANCE

When a participating jurisdiction is not properly represented at three (3) consecutive meetings of regularly scheduled meetings during the previous twelve months, and its designated representative(s) and designated alternate(s) have been properly advised as to the date, time and place of said meetings, a "reminder" letter will be sent by the Secretary to those designated representatives, their alternates, and their appointing authority. In the event that the participating jurisdiction is not properly represented at the next regularly scheduled meeting, the Commission may recommend, in writing, to the jurisdiction's appointing authority that its representatives have been unable to comply with the Commission's attendance requirements and that participating jurisdiction has been terminated as a member of the Commission.

The Secretary shall prepare a list for Commission members at the end of each calendar quarter showing attendance records of all Commission members for the previous twelve (12) months.

### Section 3 ORDER OF BUSINESS

The order of business of the Commission shall be as follows:

- Secretary's Report
- Treasurer's Report
- Expenditures for Approval
- Committee Reports
- Old Business
- New Business
- Lot Splits
- Township/Village/City/County Reports
- Executive Section
- Public Comment (Limit to 5 minutes per person)
- Adjournment

## Section 4 CONFLICT OF INTEREST

All commission members shall operate in accordance with codes developed by the Ohio Ethics Commission.

## Section 5 QUORUMS

At any meeting of the Commission or its Executive Committee, a quorum shall consist of a simple majority of current members thereof.

A current member is considered that member who is then duly and properly serving as member of the board. Any vacancies are not counted in determining a quorum.

## Section 6 MEETINGS OF THE EXECUTIVE COMMITTEE

All the powers and duties of the Coshocton County Regional Planning Commission, except as otherwise provided in the Statutes of the State of Ohio or in the terms of the Resolution of Cooperation, shall be possessed and exercised by the Executive Committee, but always subject to review by the Commission as a whole at any regular meeting. The Executive Committee of the Coshocton County Regional Planning Commission shall consist of the President, Vice-President, and FIVE (5) members of the Commission who will be selected from among the members of the Commission to be submitted for election at the December meeting by the nominating committee. Additional nominations may be made from the floor by any member of the Commission at the time of the election, but only with prior consent of the nominees. Election shall be by ballot and tally shall be made by the Nominating Committee.

However, that in the event a vacancy occurs in such committee by resignation, disqualification, or otherwise, the president shall fill such vacancy by appointment of a qualified person for the unexpired term subject to confirmation by the Commission.

## ARTICLE IV – PERSONNEL

- A. The commission may authorize the employment of a director, a secretary, such engineers, accountants and other personnel as may be necessary and establish the compensation of such employees.
- B. When so authorized by the commission, such employees may be selected by the executive committee or a special committee appointed by the President.

- C. The employee's primary obligation is to the Coshocton County Regional Planning Commission and the resident of Coshocton County, any form of outside activity, including employment or self-employment, must be kept totally separate from his or her employment with the Coshocton County Regional Planning Commission. No outside activity or employment should involve the use of County assets, funds, materials, facilities, or the services of other County employees.

Employees of the Coshocton County Regional Planning commission should avoid any outside activity that could adversely affect the independence and objectivity or their judgment, interfere with the timely and effective performance of their duties and responsibilities, or that could discredit Coshocton County or conflict, or appear to conflict, with Coshocton Counties best interests.

If an actual or even a potential conflict of interest develops, the employee will discuss the issue promptly with the President and Vice President of the Coshocton County Regional Planning Commission and the legal advisor for the Commission.

## ARTICLE V-EXPENDITURES/DISBURSEMENTS

### Section 1 MANNER

All disbursements of the Commission shall be by voucher drawn on the Auditor of Coshocton County.

### Section 2 MAJOR EXPENDITURES

All expenditures, commitments or contracts for expenditures or disbursements, when in excess of \$250 shall be authorized by the Coshocton County Regional Planning Commission.

### Section 3 MINOR EXPENDITURES

Expenditures, commitments or contracts for expenditures or disbursements, in the amount of \$250 or less can be authorized by the President and Vice President.

ARTICLE VI - CERTIFICATION AND  
ADOPTION OF PLANS

Section 1 CERTIFICATION OF LOCAL COMMUNITIES

Upon the completion of community planning documents, or their changes, supplements, or abolition, the Commission shall certify a copy thereof to each cooperating local and county government.

Section 2 ADOPTIONS BY LOCAL COMMUNITIES – EFFECT

The Planning Commission of any municipality to which such planning documents, changes, supplements, or abolition is certified, may adopt the same, and it shall thereupon have the same force and effect within such municipality as is provided by law or charter for plans prepared and adopted by said Planning Commission. The County Commissioners of each County may adopt said planning documents, changes, supplements, or abolition so far as they relate to non-municipal territory within their jurisdiction.

Section 3 EFFECTS IN COMMUNITIES NOT ADOPTING

Said planning documents, changes, supplements, or abolition shall not affect any municipality unless so adopted by its planning commission or in any non-municipal territory unless so adopted by the County Commissioners of each County.

Section 4 FILING WITH COUNTY RECORDER

When so adopted, said planning documents, changes, supplements, or abolition shall be certified to the Coshocton County Regional Planning Commission and filed with the County Recorder of each County, as provided by law.

ARTICLE VTI - COMMUNITY PLANNING SERVICES

Section 1 MEMBERSHIP PRIVILEGES

Any member city, village, township, or county shall without additional contribution or payment be entitled to:

- A. Representation and participation by representatives of its own choosing in discussions and decisions regarding planning of regional or local interest at all meetings of the Coshocton County Regional Planning Commission.
- B. Representation on Special Committees authorized or appointed to study special problems wherein the area involved includes some part or all of the territory of such political subdivision.

- C. A review and report regarding any preliminary plan of a subdivision of a limited area, as determined by the Director or Planning Advisor, filed with the unit of government in which a subdivision is proposed.
- D. Consultation by local planning officers with Staff members of the Coshocton County Regional Planning Commission on minor or special planning problems.
- E. The occasional attendance by a Staff member of the Coshocton County Regional Planning Commission, as determined by the Director, at meetings of the political subdivision's planning commission or legislative body to render advice and assistance on specific planning matters.
- F. The use of the Coshocton County Regional Planning Commission library.

#### Section 2 AGREEMENTS FOR SERVICES

In addition to the services listed in Section 1, the Director or Planning Advisor is authorized to undertake any of the following or similar projects on a Contractual basis as directed by the Coshocton County Regional Planning Commission: long range comprehensive planning programs or any study involving more cost to the Commission in staff time and other expense than that government would normally contribute in membership fees during a two-year period.

#### Section 3 FEES

All charges for services rendered pursuant to Section 2 shall be based on a Fee Schedule recommended by the Director or Planning Advisor and approved by the Coshocton County Regional Planning Commission.

#### Section 4 PROCEDURES FOR AGREEMENTS

Service agreements between other political subdivisions of the cooperating counties, and the Coshocton County Regional Planning Commission, shall be consummated upon the resolution of the legislative body of such political subdivision of the cooperating counties approving such request for services, and appropriating the necessary funds to cover the cost of the work to be performed.

## ARTICLE VIII - INCLUSION OF STATUTES AND SEVERANCE CLAUSE

All applicable statutes of the State of Ohio are included in these By-Laws and Rules of Procedure and made a part thereof. The invalidity of any section or provision of the Resolution of Cooperation or By-Laws and Rules of Procedure shall not invalidate any other section or portion thereof.

## ARTICLE IX - RESOLUTION OF COOPERATION

These By-Laws are declared not to be in conflict with the Resolution of Cooperation, and should a conflict arise, it shall be resolved in favor of the Resolution of Cooperation. Any provision of the Resolution of Cooperation not expressly stated herein is hereby made a part of the By-Laws as adopted.

## ARTICLE X – AMENDMENT

These By-Laws may be amended from time to time only in accordance with the following procedure:

An amendment or amendments can only be proposed to the Coshocton County Regional Planning Commission by the following two methods:

A committee appointed by the President.

OR

A petition signed by at least five (5) members of the commission.

The amendment or amendments will be presented to the Coshocton County Regional Planning Commission at a regular meeting. No action will be taken at this meeting.

The Secretary shall thereafter, but not less than fifteen (15) days prior to the next regular meeting of the Commission, forward to each member of the Commission a copy of such proposed amendment or amendments together with a notice that it will be the subject of action at the next regular meeting of the Commission.

Such amendment shall be deemed adopted upon receiving the affirmative vote of a minimum of sixty percent (60%) of the current members of the Commission. Any vacancies will not be counted in determining the minimum percentage of this provision.



# **Resolution of Cooperation**

Revised April 2004

Adopted: \_\_\_\_\_

COSHOCKTON COUNTY REGIONAL PLANNING COMMISSION  
RESOLUTION OF COOPERATION

In Accordance with Section 713.21 ET. SEQ. of the Ohio Revised Code, and to provide for cooperation between the County Commissioners of Coshockton County, Ohio, the County Commissioners of any cooperating County, and the Planning Commission or Legislative Authorities or Municipalities in the region in the maintenance and operation of the Coshockton County Regional Planning Commission, the following Resolution has been adopted:

ARTICLE I – Region

The region for which the Coshockton County Regional Planning Commission shall be created and maintained is all of Coshockton County, Ohio, any adjoining counties or parts thereof, Townships, and Municipalities located in any of the said areas, and any Counties, Townships or parts thereof, and Municipalities which become adjoining by virtue of expansion of the area through cooperation between Municipalities and Counties.

ARTICLE II- Name

The name of the Commission shall be the “COSHOCKTON COUNTY REGIONAL PLANNING COMMISSION”.

ARTICLE III - Membership and Term of Office

The Coshockton County Regional Planning Commission shall consist of the following members:

A. Elected Members

1. The three (3) members of the Board of County Commissioners of Coshockton County, Ohio.
2. The County Engineer of Coshockton County, Ohio.

B. At-Large Members

1. The Board of County Commissioners of Coshockton County, Ohio, shall appoint four (4) at-large members from the residents of the County of Coshockton, including all municipalities situated therein. The appointments will be from the following occupations; Attorney, Real Estate Agent, Banker and member of Chamber of Commerce.

C. Non-Municipal Members

1. The Association of Township Trustees and Clerks of Coshocton County, Ohio, shall appoint two (2) members.
2. The Board of Trustees of each participating member township shall appoint one (1) member.

D. Municipal Members

1. If it is a participating member, the City of Coshocton shall be represented by two (2) members to be appointed by the mayor, subject to approval by the legislative authority.
2. If it is a participating member, each of the Villages of Conesville, Nellie, Plainfield, Warsaw, and West Lafayette shall be represented by one (1) member to be appointed by the mayor of the village, subject to the approval of the legislative authority.

E. County Board of Health

1. The Environmental Director of the Board of Health of Coshocton County shall be a member. In the event of the unavoidable absence of the Director of Environmental Health at any commission meeting, the Supervising Sanitarian is hereby designated as an alternate member to attend such meeting and vote in place of the regular member.

F. OSU Extension Agent, Coshocton County, Ohio

G. Alternate Members

1. The appointing authority as set out in Section III, C and D hereof may appoint an alternate member, to serve in the absence of the regular member. Such alternate member shall be appointed and approved in the same manner and serve in the same capacity as the originally appointed member at any commission meeting, but only in the absence of the originally appointed member. The Coshocton County Regional Planning Commission shall be notified of each alternate appointment.

## H. Current Member

1. A current member is considered that member who is then duly and properly serving as a member of the board.

## I. Terms of Office

1. Elected Members: Those members of the Commission who are such by virtue of their elective offices shall retain membership on the Commission so long as they hold such office.
2. At-Large Members: These members shall each be appointed for a term of four (4) years, not to exceed a maximum of two(2) consecutive terms, and their terms shall continue to be staggered so that the term of one of these members shall expire at the end of each calendar year.
3. Non-Municipal Members:
  - (a) The two (2) members of the Commission appointed by the Association of Township Trustees and Clerks shall serve terms of four (4) years each, not to exceed a maximum of two (2) consecutive terms.
  - (b) All members of the Commission appointed by the participating townships cooperating in this plan shall serve terms for two (2) years. At the end of each two (2) year term, the participating member township will notify the Commission of their appointee. There will be no limits as to the number of consecutive terms served.
4. Municipal Members:

City of Coshocton: These appointments will be for a term of four (4) years, not to exceed a maximum of two (2) consecutive terms.

The Villages of Conesville, Nellie, Plainfield, Warsaw, and West Lafayette: these appointments will be for two (2) years. At the end of each two (2) year term, the participating member will notify the Commission of their appointee. There will be no limits as to the number of Consecutive terms served.
5. Terms of all members shall begin on January 1 of the first year of service and end December 31 of the year that member's term expires, or until a new member has been duly appointed.

## J. Special Committees

1. The Commission shall appoint special committees as it shall from time to time deem necessary. Each committee shall be filled by appointment of those citizens of Coshocton County who in the opinion of the Commission are best qualified to serve on that particular committee. Such committees shall work under the direction of the Commission and shall be available to give it the benefit of their experience on various questions which may come before the Commission. The Commission may secure such professional assistance as it deems necessary.
2. All actions of such committees shall be reported in writing to the Commission no later than the next meeting of the Coshocton County Regional Planning Commission or within thirty (30) days from the date of the action, whichever is earlier.
3. After such written report has been submitted, the Commission shall ratify or annul the actions of such committees.

## ARTICLE IV - Purpose and Duties of the Commission

### A. General

1. The Coshocton County Regional Planning Commission shall make studies, maps, plans and other reports of the region which may include adjoining areas, showing the Commission's recommendations for systems of transportation, highways, parks and recreational facilities, water supplies, sewerage and sewage disposal, garbage disposal, civic centers and other public improvements which affect the development of the region as a whole or more than one political subdivision within the region.

### B. Changes

1. Said plans or maps may be changed, supplemented or abolished from time to time at the discretion of the Commission, but no plans or maps shall be adopted, changed, supplemented or abolished without a public hearing thereon.

### C. Special Studies

1. The Commission may undertake for the benefit of the planning commission of any cooperating municipality or township the, daily planning, mapping and other reports upon public improvements or the use of land within the boundaries of such municipality or township, the cost thereof to be paid by such municipality or township in such manner and amount as may be agreed upon between the Commission and the planning commission of such municipality or township. Any study, planning mapping or other reports so undertaken shall be a recommendation to, and subject to adoption by, such planning commission.

### D. Plats of Subdivisions

The Commission shall approve all plats of a subdivision of land within the region, other than land within a Municipal Corporation, and shall prescribe the standards for the preparation, approval and recording thereof, and for such purposes shall have the authority to adopt uniform rules and regulation governing plats an subdivisions of land to secure and provide for the proper arrangement of streets or other highways for adequate open space for traffic, utilities, access of fire fighting apparatus, recreation, light, air and for the avoidance of congestion of population. The approval of any plat of subdivision of land lying within three (3) miles of corporate limits of any city pursuant to section 711.10 ORC shall be conditioned upon receiving approval by the Commission. The approval of any plat of subdivision of land lying within one and half (1.5) miles of corporation limits of any village pursuant to section \_\_\_\_ ORC shall be conditioned upon receiving approval by the Commission. Subdivision regulations promulgated by the Commission shall not become effective until after public hearing and until ratification and approval by the Board of County Commissioners.

### E. Authority

The Coshocton County Regional Planning Commission shall have all of the powers and duties now or hereafter provided by law for Regional Planning Commissions.

## ARTICLE V- Officers and Committees of the Commission

### A. President and Vice-President

1. A president and vice-president shall be elected by the Commission at its regular December meeting each year. Each of these officers shall hold office from January 1 to December 31 after such election OR until his or her successor is duly elected and qualified. These officers shall have such authority and perform such duties as are normally associated with the offices of president and vice-president.

### B. Secretary

1. The Commission at its regular December meeting each year shall elect a secretary who may be, but need not be, a member of the Commission. The secretary shall hold office January 1 to December 31 after the election or until his or her successor is elected and qualified.
2. It shall be the duty of the secretary to keep a full record of the proceedings of the Commission and of its committees, and the secretary shall perform such other duties as the Commission may from time to time direct.
3. The Commission may at its discretion fix a salary for the secretary.

### C. Treasurer

1. The Commission at its regular December meeting each year may elect a treasurer who may be, but need not be, a member of the Commission. The treasurer shall hold office January 1 to December 31 after the election or until his successor is elected and qualified.
2. The Commission may at its discretion fix a salary for the Treasurer.

### D. Executive Committee

1. There shall be an executive committee of the Commission consisting of the president, the vice-president and five (5) members of the Commission who will be selected from among the members of the Commission to be submitted for election at the December meeting by

the nominating committee. Additional nominations may be made from the floor by any member of the Commission at the time of the election, but only with prior consent of the nominees. Election shall be by ballot and tally shall be made by the Nominating Committee.

2. Each member of the executive committee shall serve from January 1 to December 31 following their election or until a successor is chosen and qualified; provided, however, that in the event a vacancy occurs in such committee by resignation, disqualification, or otherwise, the president shall fill such vacancy by appointment of a qualified person for the unexpired term subject to confirmation by the Commission.
3. All the powers and duties of the Coshocton County Regional Planning Commission, except as otherwise provided in the Ohio Revised Code, or in the terms of this Resolution of Cooperation, shall be held, exercised and carried out by the executive committee, but always subject to review by the commission as a whole as hereinafter provided. Upon the adoption by the executive committee of any map or plan of the kind and character described in Section 713.23 et seq. of the Ohio Revised Code or any amendment to or abolition thereof, or upon taking any other kind of action, the executive committee shall submit the same to the Commission at its next regular or special meeting or within thirty (30) days of taking such action, whichever is earlier. Thereupon, the Commission shall review and, if it deems necessary, modify or amend such plan, map, change, supplement or abolition, or any other action of the executive committee. After so doing, it may confirm or disapprove the same by vote of the majority of the members present and constituting a quorum as hereinafter provided. If such action of the executive committee is not so modified or disapproved, it shall stand as the action of the Commission.
4. If any member of the executive committee is absent for three (3) consecutive regular meetings of the executive committee, said member shall be considered to have resigned and shall not be counted thereafter in the numerical requirements of a quorum until a successor has been appointed by the president.

#### E. Vacancy of Office

1. If any office, except the office of President, shall become vacant for any reason, the President shall appoint at the next regular meeting a successor to hold Office for the unexpired term. Such appointment shall be subject to confirmation by the Commission.

If for any reason the office of President becomes vacant, the Vice President shall assume the office of President with all the power and duties granted to said office.

## ARTICLE VI- Meeting of the Commission and Its Committees

### A. Meeting of the Commission

1. The Coshocton County Regional Planning Commission shall hold at least six (6) regular meetings annually, starting with a reorganization meeting in the month of January of each and every year, and the other meetings shall be held as determined by the Commission. In addition, special meetings may be called by the president or by any five (5) members of the Commission after giving written notice to each member, as hereinafter set forth, for any purpose necessary to the proper functioning of the Commission.

### B. Notice

1. Written notice of every regular or special meeting shall be mailed or delivered personally by the secretary of the Commission at least five (5) days prior to such meeting, which notice shall state the time, place and purpose of such meeting.

### C. Meeting of the Executive Committee

1. Executive Committee meetings may be called by the president or by any three (3) members of the executive committee after giving five (5) days written notice to each member of the executive committee, as hereinafter set forth, for any purpose necessary to the proper functioning of the Commission.

### D. Quorum

1. Any meeting of either the Commission or the executive committee thereof must have a majority of said members personally present before a quorum shall exist and before such group may properly function. At any meeting of the entire Commission or of the executive committee, matters of business which receive a favorable vote consisting of at least a majority of the quorum present at such meeting shall be considered an action of said Commission or the executive committee. Any vacancies are not counted in determining a quorum.

## E. Attendance

1. When a participating jurisdiction is not properly represented at three (3) consecutive meetings of regularly scheduled meetings during the previous twelve months, and its designated representative(s) and designated alternate(s) have been properly advised as to the date, time and place of said meetings, a "reminder" letter will be sent by the Secretary to those designated representatives, their alternates, and their appointing authority. In the event that the participating jurisdiction is not properly represented at the next regularly scheduled meeting, the Executive Committee may recommend, in writing, to the jurisdiction's authority that its representatives have been unable to comply with the Commission's attendance requirements and that participating jurisdiction has been terminated as a member of the Commission.

## ARTICLE VII - Financial Provisions

### A. Apportionment of Cost

1. The cost of maintaining the Coshocton County Regional Planning Commission shall be apportioned as hereinafter set forth in this section.
2. Each participating municipality and township cooperating herein shall contribute in each calendar year five cents (\$.05) per capita of its population according to the latest census, but not less than twenty and no/100 dollars (\$20.00) in each calendar year. Such contributions shall be paid in January of each year. If a previously participating and cooperating municipality or township has not paid its per capita contribution within ninety (90) days from and after written notification, said municipality or township shall be considered to have withdrawn from the Coshocton County Regional Planning Commission.
3. The Commission may accept, receive and expend funds, grants and services from the government of the United States of America or its agencies, from departments, agencies and instrumentalities of the State of Ohio, or any adjoining state, or from any municipal corporation or political subdivision of this or any adjoining state, including county, regional and municipal commissions of this or any adjoining state or from civic sources, and contract with respect thereto, either separately, jointly or cooperatively and provide such information and reports as may be necessary to secure such financial aid

4. The remainder of such costs may be paid by the County of Coshocton, and the Board of County Commissioners may provide funds in each calendar year for such purposes, payable at the discretion of the County Commissioners.

B. Appropriations

1. The Commission shall, at its regular January meeting in each year, make appropriations for its expenses for that year. These appropriations may be modified or supplemented from time to time during the year; but at no time shall the appropriations exceed the total amount received or due from cooperating political subdivisions, from public agencies, from the government of the United States of America and State of Ohio, or from other sources, plus the amount provided or promised to be provided by the Board of County Commissioners.

ARTICLE VIII - Employees

- A. The Commission may authorize the employment of a director, a secretary, such engineers, accountants and other personnel as may be necessary and establish the compensation of such employees.
- B. When so authorized by the Commission, such employees may be selected by the executive committee or a special committee appointed by the President.
- C. The employee's primary obligation is to the Coshocton County Regional Planning Commission and the resident of Coshocton County, any form of outside activity, including employment or self-employment, must be kept totally separate from his or her employment with the Coshocton County Regional Planning Commission. No outside activity or employment should involve the use of County assets, funds, materials, facilities, or the services of other County employees.

Employees of the Coshocton County Regional Planning commission should avoid any outside activity that could adversely affect the independence and objectivity or their judgment, interfere with the timely and effective performance of their duties and responsibilities, or that could discredit Coshocton County or conflict, or appear to conflict, with unties best interests.

If an actual or even a potential conflict of interest develops, the employee will discuss the issue promptly with the President and Vice President of the Coshocton County Regional Planning Commission and the legal advisor for the Commission.

#### ARTICLE IX - Certification and Adoption of Plan

- A. The Commission, after making the regional plan, or any change, supplement or abolition thereof, shall certify a copy thereof to each participating and cooperating political subdivision and to the Board of County Commissioners of Coshocton County, Ohio. If any participating and cooperating political subdivision, to which such plan, change, supplement or abolition is certified, has a planning commission, such Commission may adopt the plan, change, supplement or abolition, and it shall thereupon have the same force and effect within such political subdivision as is provided by law or charter for the plans prepared and adopted by the Coshocton County Regional Planning Commission. The Board of County Commissioners may adopt said plan, change, supplement or abolition so far as it relates to non-participating territories. Said plan, change, supplement or abolition shall be of no effect in any non-participating territory unless so adopted by the Board of County Commissioners of Coshocton County, Ohio. When so adopted, said plan, change, supplement or abolition shall be certified to the Commission and filed with the recorder of Coshocton County, Ohio, as provided by law.

#### ARTICLE X - Inclusion of Statutes

- A. All applicable statutes of the State of Ohio are included in these terms of cooperation and made a part hereof.

#### ARTICLE XI - Withdrawals

- A. The Board of County Commissioners of Coshocton County, Ohio, or any participating and cooperating political subdivision may withdraw its cooperation hereunder at any time by adopting a resolution so to do and delivering a certified copy thereof to the Secretary of the Coshocton County Regional Planning Commission. Such withdrawal shall be effective upon delivery, but by so doing the withdrawing party shall not be relieved of its obligation to contribute its share of the cost for the year in which the withdrawal occurs, nor shall it withdraw for that year the party's territories from the region.

## ARTICLE XII- Amendment

- A. This Resolution of Cooperation may be amended by resolution adopted by the Coshocton County Regional Planning Commission at any regular meeting, and a copy of such resolution of amendment shall be certified in writing to the Board of County Commissioners of Coshocton County, Ohio and to each participating and cooperating municipality and township by the Secretary of the Coshocton County Regional Planning Commission within ten (10) days after such adoption.

Such amendment shall be deemed adopted upon receiving the affirmative vote of a minimum of sixty percent (60%) of the current members of the Commission.

If any participating and cooperating municipality or township has an operational planning commission, any action on such resolution of amendment shall be taken by that planning commission. If there is no operational planning commission in the municipality or township, action on such resolution of amendment shall be taken by the legislative authority of the municipality or the Board of Township Trustees of the township, as applicable.

- B. The Board of County Commissioners of Coshocton County, Ohio, shall approve or disapprove such resolution of amendment and certify in writing the result thereof to the Secretary of the Coshocton County Regional Planning Commission within thirty (30) days after certification to the board. If such resolution of amendment is disapproved by the Board of County Commissioners, the same shall be considered a nullity and repealed by the Coshocton County Regional Planning Commission as well.
- C. If the resolution of amendment as set forth above is disapproved by a majority of the remainder of the participating and cooperating members of the Commission by written certification directed to the Secretary of the Coshocton County Regional Planning Commission within sixty (60) days after the original certification to such members, the same shall be considered a nullity and repealed by the Coshocton County Regional Planning Commission as well. Otherwise, if such resolution of amendment has been approved by the Board of County Commissioners of Coshocton County, Ohio, the same shall be deemed to be in full force and effect after the expiration of said sixty (60) days.

## ARTICLE XIII - Time of Taking Effect

- A. These amended terms of cooperation shall take effect at the earliest date allowed by law and the provisions of the Coshocton County Regional Planning Commission Resolution of Cooperation.

ARTICILE XIV- Conflict with Commission By-Laws

- A. If any conflict should arise with the By-Laws of the Commission and the Resolution of Cooperation, it shall be resolved in favor of the Resolution of Cooperation.

**AMENDMENT to ARTICLE III—Membership and Term of Office**

**Residence Requirements**

Any appointee of the Coshocton County Regional Planning Commission shall be a resident of that entity—County, City, Municipality, or Township—that the appointee represents.