

# COSHOCTON COUNTY REGIONAL PLANNING COMMISSION

## BY-LAWS



Coshocton County Regional Planning Commission  
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Revised and adopted by Coshocton County Regional Planning Commission  
November 15, 2010

**BY-LAWS OF THE  
COSHOCOTON COUNTY REGIONAL PLANNING COMMISSION  
PREAMBLE**

By virtue of the adoption of a Resolution of Cooperation by the Board of County Commissioners of Coshocoton County, Ohio, hereinafter referred to as the commissioners, and by the planning commissions of municipalities and the townships within Coshocoton County, Ohio, there has been created a Coshocoton County Regional Planning Commission, hereinafter referred to as the commission, vested with powers given to 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 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 “Coshocoton County Regional Planning Commission”.

**ARTICLE II – OFFICERS**

**Section 1: EXECUTIVE OFFICERS**

There shall be a president and vice president elected by members of the commission, and these officers shall be members of the commission. There shall be a secretary appointed as hereinafter provided. The commission may create the office of treasurer and such other offices as it deems necessary.

**Section 2: PRESIDENT /VICE PRESIDENT**

The president shall preside at all meetings of the commission and, except to the extent as hereinafter otherwise provided, sign all written contracts and obligations of the commission. The president shall appoint all committees and be an ex-officio member thereof. He/she shall perform all 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-tem who shall have authority to conduct the meeting of the commission.

### Section 3: SECRETARY

There shall be a secretary of the commission who shall be appointed annually by the president on or before the last day of December of each year. The president shall notify the Nominating Committee in writing as to this appointment so that it may be included in that committee's report to the commission at its next regular January meeting. Such appointment shall be subject to confirmation by the commission at such January meeting following the appointment. Additional nominations may be made from the floor but only with the proposed nominee's consent and after the commission members have been apprised of the proposed nominee's qualifications. 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 the compensation for the secretary.

### Section 4: TREASURER AND OTHER OFFICERS

If the position of treasurer is created by the commission, a treasurer shall be appointed annually by the president on or before the last day of December, and this appointment shall be subject to confirmation by the commission. If a treasurer is appointed, he/she 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 the compensation for the treasurer.

The commission may create such other officers as it shall deem necessary, who shall be appointed by the president subject to confirmation by the commission. Those officers shall have such authority and shall perform such duties as from time to time shall be assigned by the commission.

The term of office for all officers, either elected or appointed, shall be for one (1) year from the regular meeting of the commission in January of each year until its regular meeting in January of the year following such election or appointment, or until their successors are duly elected/appointed and qualified.

### Section 5: NOMINATION/ELECTION OF OFFICERS

On or before the first day of December of each year, the president shall appoint a "Nominating Committee" composed of three (3) members selected from the commission membership which shall prepare a list of nominations to be submitted to the commission as a whole at its next regular January meeting for the purposes of election and/or confirmation. Such list shall contain the elective offices of president, vice president, five

(5) elected members of the executive committee and all appointed officers. Additional nominations may be made from the floor by any member of the commission at the time of election, but only with prior consent of the nominees.

Within ten (10) days after the appointment of the Nominating Committee, the director shall notify all members of the commission in writing as to the names of the members of this committee and that such committee will be receiving requests in writing from any commission member who desires to be nominated for any elected office or elected executive committee membership. Prior to such commission regular meeting in January of each year, the president shall notify the Nominating Committee of any officer appointments subject to commission confirmation so that the Nominating Committee may add the same to its list.

Prior to the regular January meeting of the commission, the Nominating Committee shall ascertain all those commission members who wish to have their names placed in nomination for president, vice president or the elected members of the executive committee. All the names of those so interested shall be made a part of the Nominating Committee's report to the commission at the time of such election. Each elective or appointed office shall be voted upon separately, and in each case the nominee receiving the most votes will be declared elected. There shall be a separate vote for elected members of the executive committee, and the executive committee nominees receiving the five (5) highest number of votes shall be declared elected. Contested elections/confirmations shall be conducted by secret written ballot, and the tally shall be made by the Nominating Committee. Non-contested elections/confirmations may be concluded by acclamation.

#### Section 6: 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 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 of the commission during the previous twelve (12) months, and its designated representative(s) and alternate(s) has/have been properly advised as to the date, time and place of said meetings, a “reminder” letter shall be sent by the director to such designated representative(s), their alternate(s) and their appointing authority. In the event that such participating jurisdiction is not properly represented at the next regularly scheduled meeting of the commission, the executive committee may notify the commission in writing that such participating jurisdiction has not complied with the commission’s attendance requirements and the commission should consider terminating the membership of such participating jurisdiction on the commission.

The director 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:

General Public Comment (except for those comments on new or old business)  
(limited to 5 minutes per person)

Secretary’s Report  
Treasurer’s Report  
Expenditures for Approval  
Committee Reports  
Old Business \*\*  
New Business \*\*  
Lot Splits  
Township/Village/City/County Reports  
Executive Session  
Adjournment

\*\* Comments pertaining to old or new business are acceptable but limited to five (5) minutes per person.

## Section 4: CONFLICT OF INTEREST

All commission members shall conduct themselves 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 the current members thereof.

A current member is deemed to be that individual who is then a properly serving member of the commission either as a specifically designated individual or as a duly appointed representative of a participating jurisdiction, all in accordance with the provisions of the Resolution of Cooperation. Any vacancies in membership shall not be counted in determining a quorum.

## Section 6: MEETINGS OF THE EXECUTVE COMMITTEE

All the powers and duties of the 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 or special meeting. The executive committee shall consist of the president, vice-president, one (1) County Commissioner, the County Engineer, 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 commission's regular January meeting by the Nominating Committee. At no time shall more than one (1) County Commissioner be a member of the executive committee. Additional nominations may be made from the floor by members of the commission at the time of the election, but only with prior consent of the nominees.

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

The commission may authorize the employment of an executive director, herein referred to as director, such engineers, accountants and other personnel as may be necessary and establish the compensation of such employees.

When so authorized by the commission, such employees may be selected by the executive committee or a special committee appointed by the president.

The employee's primary obligation is to the commission and the residents of Coshocton County. Any form of outside activity, including employment or self-employment, must be kept totally separate from his/her employment with the commission.

Employees of the commission shall avoid any outside activity that could affect the independence and objectivity of 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 County's best interest.

If an actual or even a potential conflict of interest develops, the employee affected will discuss the issue promptly with the president and vice president of the commission and its legal advisor.

## **ARTICLE V – EXPENITURES/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 in excess of \$250 must be authorized by the 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, vice president or the director.

## **ARTICLE VI – CERTIFICATIONS 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 municipalities to which such planning documents, changes, supplements, or abolition are 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 that 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 commission and filed with the county recorder of each county, as provided by law.

## ARTICLE VII – 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 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 a staff member of the commission on minor or special planning problems.
- E. The occasional attendance by a staff member of the 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 commission's 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 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 commission.

## Section 4: PROCEDURES FOR AGREEMENT

Service agreements between other political subdivisions of the cooperating counties and the 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 LAWS**

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 – AMENDMENT**

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

An amendment can be proposed to the 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 proposed amendment shall be presented to the commission at a regular meeting. No action will be taken at this meeting.

The director 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 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 voting members of the commission. Any vacancies in the commission membership shall not be counted in determining the minimum percentage of this provision.