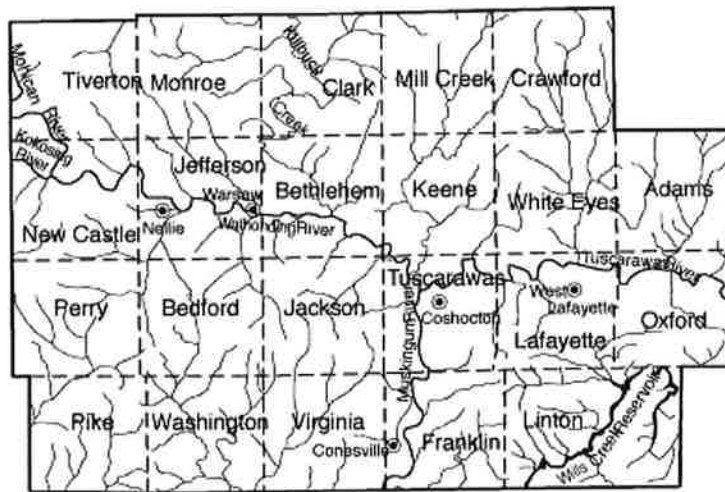


# COSHOCTON COUNTY REGIONAL PLANNING COMMISSION

## RESOLUTION OF COOPERATION



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

Adopted by the Board of Coshocton County Commissioners  
November 22, 2010 Journal 53 Page 43

**COSHOCTON 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 Board of County Commissioners of Coshocton County, Ohio, hereinafter referred to as the commissioners, the county commissioners of any cooperating county, and the planning commissions or legislative authorities of municipalities in the region in the maintenance and operation of the Coshocton County Regional Planning Commission, hereinafter referred to as the commission, the following resolution has been adopted.

**ARTICLE I – Region**

The region for which the commission shall be created and maintained includes all of Coshocton County, Ohio, any adjoining counties or parts thereof, townships and municipalities located in any of said areas, and any counties or parts thereof, townships 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 “Coshocton County Regional Planning Commission”.

**ARTICLE III – Membership and Term of Office**

The commission shall consist of the following members:

A. Elected Members

1. All members of the Board of County Commissioners of Coshocton County, Ohio.
2. The County Engineer of Coshocton County, Ohio.

B. At-Large Members

The commissioners shall appoint four (4) at-large members from the residents of the County of Coshocton, including all municipalities situated therein. The appointments shall be made from the following occupations: attorney, real estate agent, banker and a member of the Coshocton County 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

The Director of Environmental Health of the Coshocton County General Health District shall be a member.

F. Ohio State University

The Ohio State University Agricultural & Natural Resources Educator shall be an ex-officio member.

G. Alternate Members

The appointing authority as set out in Article III, C and D hereof may appoint an alternate member, or members, to serve in the absence of the regular member. Such alternate member, or members, 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 commission shall be notified of each alternate appointment. The number of alternates shall be limited to two (2) and shall be designated as alternate number one and alternate number two.

H. Current Member

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 each beginning with the commission's regular meeting in January of each year, and their terms shall continue to be staggered so that the term of one of these members shall expire at the commission's regular January meeting of each year, or until his/her successor is appointed and qualified. There shall be no limit as to the number of consecutive terms served.
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, beginning with the commission's regular meeting in January and ending with its regular January meeting four (4) years later, or until their successors are appointed and qualified. The appointing authority shall notify the commission as to the successor appointments on or before January 1 of the year in which the four-year terms expire. There shall be no limit as to the number of consecutive terms served.
  - (b) All members of the commission appointed by the participating townships cooperating in the plan shall serve a one (1) year term from the commission's regular January meeting until its regular meeting in January of the following year, or until his/her successor is appointed and qualified. The appointing township must designate its member and alternate(s) and so notify the commission in writing prior to January 1 of each year. Alternates shall be designated as alternate number one and alternate number two. There shall be no limit as to the number of consecutive terms served.
4. Municipal Members:
  - (a) For the City of Coshocton, these appointments shall be for a term of four (4) years and shall be served from the commission's regular January meeting to its regular January meeting four (4) years later, or until their successors are appointed and qualified. There shall be no limits as to the number of consecutive terms served.
  - (b) For the Villages of Conesville, Nellie, Plainfield, Warsaw and West Lafayette, these appointments shall be for a term of two (2) years and shall be served from the commission's regular January meeting to its regular January

meeting two (2) years later, or until their successors are appointed and qualified. Prior to January 1 of the year that these terms expire, each appointing authority shall notify the commission of its appointee. There shall be no limit as to the number of consecutive terms served.

5. Terms of all members shall begin at the commission's regular January meeting of the term's first year of service and end at the commission's regular January meeting of the respective years that such terms expire, or until the successor(s) has(have) been duly appointed and qualified.

#### J. Residence Requirements

Each elected or appointed representative and alternate(s) of a participating member of the commission must be a resident of that entity which he/she represents.

### **ARTICLE IV – Purpose and Duties of the Commission**

#### A. General

The 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 one or more political subdivision(s) within the region.

#### B. Changes

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

The commission may undertake for the benefit 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 shall be paid by such municipality or township in such a manner and amount as may be agreed upon between the commission and such municipality or township. Any study, planning mapping or other reports so undertaken shall be a recommendation to, and subject to adoption by, such municipality or township.

D. Plats of Subdivisions

The commission shall approve all plats of subdivisions 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 it shall have the authority to adopt uniform rules and regulations governing plats and subdivisions of land to secure and provide for the proper arrangement of streets and 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 the corporate limits of any city or within one and one-half miles of the corporate limits of any village shall be governed by and subject to the provisions of Sections 711.09 and 711.10 of the Ohio Revised Code and the Coshocton County Subdivision Regulations. Subdivision rules and regulations promulgated by the commission shall not become effective until after public hearing and ratification by the commissioners.

E. Authority

The commission shall have all of the powers and duties now or hereafter provided by law for a regional planning commission.

**ARTICLE V – Officers and Committees of the Commission**

A. President and Vice-President

A president and vice-president shall be elected by the commission at its regular January meeting each year. Each of these officers shall hold office from the time of his/her election for a term of one (1) year to the following regular January meeting of the commission, or until his/her successor is 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. Prior to January 1 of each year, the president shall appoint a secretary who may be, but need not be, a member of the commission. Such appointment shall be subject to confirmation by the commission at its next regular meeting after such appointment. The secretary shall hold office from the commission's regular meeting in January until its next regular January meeting, or until his/her successor is appointed 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 the compensation of the secretary.

C. Treasurer

1. If the commission determines that the office of treasurer is necessary, on or before January 1 of the year following such determination, or earlier if necessary, the president shall appoint a treasurer who may be, but need not be, a member of the commission. The treasurer shall hold office from the date of such confirmation at the commission's regular meeting in January, or earlier if necessary, until its next regular January meeting, or until his/her successor is appointed and qualified.
2. The treasurer shall perform such duties as are normally associated with office of treasurer or that may from time to time be assigned to him/her.
3. The commission may at its discretion fix the compensation of the treasurer.

D. Executive Committee

1. There shall be an executive committee of the commission consisting of the president, vice-president, one (1) County Commissioner, the County Engineer and five (5) other members of the commission. The five (5) members of the executive committee, other than the president, vice president, County Commissioner and County Engineer, shall be elected by the commission.
2. Each of the elected members of the executive committee shall serve a term of one (1) year from the commission's regular meeting in January at which such election took place until its next regular January meeting, or until his/her successor is elected and qualified; provided, however, in the event that a vacancy occurs among the elected members of 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 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 whole commission 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 such review, 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 without an excuse approved by the executive committee, such member shall be considered to have resigned and shall not be counted thereafter in the numerical requirements for determining a quorum until a successor has been duly elected/appointed and qualified. There shall be no alternates for the executive committee members.

#### E. Vacancy in Office

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 powers and duties granted to such office.

#### F. Special Committees

The commission shall appoint special committees as it shall from time to time deem necessary. Each committee shall be filled by appointment of commission members or 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. All actions of such committees shall be reported in writing to the commission no later than its next regular meeting or within thirty (30) days of the action, whichever is earlier. After such written report has been submitted, the commission shall ratify or annul the actions of such committees.



## **ARTICLE VI – Meeting of the Commission and Its Committees**

### **A. Meeting of the Commission**

The commission shall hold at least six (6) regular meetings annually, starting with the reorganization meeting in the month of January of each year, and 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**

Written notice of every regular or special meeting shall be mailed or delivered personally by the director of the commission at least forty-eight (48) hours excluding weekends/holidays, prior to such meeting, which notice shall state the time, place and purpose of such meeting. Email notification is an acceptable form of written notification.

### **C. Meeting of the Executive Committee**

Executive committee meetings may be called by the president or by any three (3) members of the executive committee after giving forty-eight (48) hours, excluding weekends/holidays, written notice to each member of the executive committee, as hereinafter set forth, for any purpose necessary to the proper functioning of the commission. Email notification is an acceptable form of written notification.

### **D. Quorum**

Any meeting of either the commission or the executive committee thereof must have a majority of its 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 member vacancies shall not be counted in determining a quorum.

E. Attendance

When a participating jurisdiction is not properly represented at three (3) consecutive regularly scheduled meetings of the commission during the previous twelve months, and its designated commission representative(s) and alternate(s) have been properly advised as to the date, time and place of meetings, a “reminder” letter shall be sent by the director to those designated representatives, their alternates, and their appointing authority. In the event that the participating jurisdiction, which is the same as the appointing authority, 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 that the commission should consider terminating the membership of such participating jurisdiction on the commission.

**ARTICLE VII – Financial Provisions**

A. Appointment of Cost

1. The cost of maintaining the commission shall be apportioned as hereinafter set forth.
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, such municipality or township shall be considered to have withdrawn as a member of the 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 Ohio or any adjoining state, including county, regional and municipal commissions of Ohio 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 commissioners may provide funds in each calendar year for such purposes, payable at the discretion of the commissioners.

## **B. Appropriations**

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 the State of Ohio, or from other sources, plus the amount provided or promised to be provided by the commissioners.

## **ARTICLE VIII – Employees**

The commission may authorize the employment of an executive director, hereinafter 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.

Each 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 adversely 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 the county's best interests.

If an actual or even a potential conflict of interest develops with regard to any employee, the employee shall discuss the issue promptly with the president and the vice-president of the commission and the legal advisor for the commission.

## **ARTICLE IX – Certification and Adoption of Plan**

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 commissioners. 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 commission. The 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 commissioners. 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**

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

#### **ARTICLE XI – Withdrawals**

The commissioners 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 director of the 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 – Amendments**

- A. This Resolution of Cooperation may be amended by resolution adopted by the commission at any regular meeting, and a copy of such resolution of amendment shall be certified in writing to the commissioners and to each participating and cooperating municipality and township by the director of the 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, subject to the action of the commissioners as hereinafter provided.

- B. The commissioners shall approve or disapprove such resolution of amendment and certify in writing the result thereof to the director of the commission within thirty (30) days after certification to the commissioners. If such resolution of amendment is disapproved by the commissioners, the same shall be considered a nullity and repealed by the commission as well.

**ARTICLE XIII – Time of Taking Effect**

These amended terms of cooperation shall take effect at the earliest date allowed by law and the commission's Resolution of Cooperation.

**ARTICLE XIV – Conflict with Commission By-Laws**

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.