

By-Laws and Rules of Procedure Of the Wyandot County Regional Planning Commission

PREAMBLE

By the virtue of the adoption of a Resolution of Cooperation by the Board of County Commissioners of Wyandot County, Ohio and by the Planning Commissions of Municipalities and the Townships within Wyandot County, Ohio, there has been created a Regional Planning Commission, vested with the 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 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:

SECTION 1 – NAME

The name of the Commission shall be the “Wyandot County Regional Planning Commission”.

SECTION 2 – REGION

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

SECTION 3 – MEMBERSHIP

A. The Wyandot Regional Planning Commission shall consist of the following voting members:

COUNTY MEMBERS

A member of the Board of County Commissioners of Wyandot County and each cooperating county or a designated representative, the County Engineer of Wyandot County and each cooperating county or a designated representative,

and the Extension Educator of Wyandot County and each cooperating county or a designated representative shall serve as voting members of the commission. Ex-officio members shall consist of a Health Commissioner or designated representative and member of Wyandot Soil and Water or designated representative. The designated representative shall have the rights and privileges of the official member if appointed by that member to act in his place.

TOWNSHIP MEMBERS

Nine (9) official representatives of the Wyandot County Township Association designated by the Wyandot Township Association for a term of three (3) years. Each designee to serve as representative for the interests of all Wyandot County townships. The designated representative shall have the rights and privileges of the official member if appointed by that member to act in his place.

CITIZEN MEMBERS

Two (2) resident citizens of, appointed by the Wyandot Regional Planning Commission for a term of three (3) years each. The terms shall commence at the first regular meeting in April of the appointment year. The designated representative shall have the rights and privileges of the official member if appointed by that member to act in his place.

B. DISCRIMINATION PROVISIONS.

Membership in the Commission will not be made with regard to race, color, religion, gender, age, disability, national origin, or ancestry.

C. VACANCIES AND DISMISSALS – MANNER OF RE-APPOINTMENT.

If any member of the Wyandot Regional Planning Commission is absent for three (3) consecutive unexcused meetings, he may, at the option of the President, be considered to have resigned and shall not be counted therefore in the numerical requirements of a quorum, unless and until a successor has been appointed by the participating member body. If any member is so dismissed for non-attendance, the President shall instruct the Director to so notify the participating body of his dismissal and request a reappointment of a new member. Any vacancy occurring shall be filled for the unexpired term in the same manner in which the said member was designed or chosen originally.

SECTION 4 – POWERS AND DUTIES OF THE COMMISSION

A. REGIONAL PLANS. The Regional Planning Commission shall have the power and duty to make plans and maps of the region, showing the Commission's recommendations for systems of transportation, highways, parks and recreational facilities, water supply, sewage and sewage disposal, refuse

disposal, educational facilities and other public improvements which affect the development of the region as a whole, or more than one political subdivision within the region, and which do not begin and terminate within the boundaries of any single municipality. 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 except at a regular or special meeting of the Commission or the Executive Committee.

B. COMMUNITY ASSISTANCE. Said Commission may undertake for the Planning Commission of any cooperating local government the study, planning, mapping, and other reports upon public improvements, of the use of land within the boundaries of such municipalities, township, or county, the cost thereof to be paid by such local government in such a manner and amount as may be agreed upon, in writing, between the Executive Committee or the Regional Planning Commission and the Planning Commission of such local government. Any study, planning, mapping, or other reports so undertaken shall be advisory only and subject to adoption by such local government Planning Commission.

C. OTHER POWERS. Said Regional Planning Commission shall have all other powers and duties now and hereafter provided by law for Regional Planning Commissions.

SECTION 5 – OFFICERS AND COMMITTEES OF THE COMMISSION

A. OFFICERS.

1. Executive Officers. The executive officers of the Regional Planning Commission shall be its President and Vice-President, both of whom shall be elected by the Commission at the first regular meeting in each year, and who shall take the office at the first regular meeting in April of the same year and who shall hold office until the first regular meeting in April in the succeeding year. The President and Vice-President shall be members of the Commission.

2. Technical Representatives. The Commission may appoint or elect such other Technical Representatives 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 or the Executive Committee.

3. Nominations. During the months of December or January of each year, the President, at a regular meeting of the Commission, shall call for one (1) or more nominations for each office. Nominations must be selected from among the members of the Commission for its officers. If only one (1) nominee is named for any office, the Commission shall make a motion to appoint that individual to office. If two (2) or more Commission members are nominated for

an office, election for the office shall be by ballot and tally shall be made by a designated Commission representative.

4. Vacancy. If any executive office shall become vacated by reason of death, resignation, disqualification or any other cause, the officers below the vacated office shall move up. The order of rank of officers shall be President and Vice-President. The Commission shall then elect a successor to hold the unexpired term of the officer. Such vacancy shall be filled at the next Commission meeting by nominations from the Commission members present and by receiving the most votes cast.

5. (a) Duties of the President. The President shall preside at all meetings of the Commission and the Executive Committee and except to the extent hereinafter or otherwise provided, sign all written contracts and obligations of the Commission and shall perform all the duties as may from time to time be required or requested of him by the Commission or the Executive Committee.

(b) Duties of the Vice-President. The Vice-President shall perform all duties of the President in case of his absence or disability and such other and further duties as may from time to time be required or requested of him by the Commission or the Executive Committee. In case the Vice-President and President are absent or unable to perform their duties, the Executive Committee shall appoint a President Pro-Tempore.

B. COMMITTEES.

1. Executive Committee.

(a) Membership. There shall be an Executive Committee of the Regional Planning Commission consisting of the President, Vice-President, and members appointed by the President from the membership of the Commission, whose appointments shall be confirmed by the Commission at its next regular meeting following the election of officers of the Commission.

Said Committee shall include the following:

1. One (1) County Commissioner
2. The staff representative from the Co. Health Dept.

(b) Term of Service. Each member of the Executive Committee shall serve until the next regular or special meeting following the election of officers of the Commission or until his successor is chosen and qualified, provided, however, that in the event a vacancy occurs in such committee by resignation, disqualification, or otherwise, it shall be filled by appointment by the President, subject to confirmation by the Commission, of a qualified person for the unexpired term of his predecessor.

(c) Powers of the Executive Committee. All of the powers and duties of the Regional Planning Commission, except as otherwise provided in the Statutes of the State of Ohio, or in the terms of these By-Laws, shall be possessed and may be exercised by the Executive Committee, but always subject to review by the Commission as a whole as hereafter provided.

(d) Adoption of Plans. 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 change, supplement or abolition thereof, the Commission shall send notification of such action, to be sent by mail, or delivered personally to each member of the Commission, and written record to be made of each such mailing or delivery. Any member of the Commission may, within ten (10) days after the receipt of his copy, serve written demand on the Director of the Commission for a special meeting of the Commission to review such action as stated above, in which case, the President shall call such special Commission meeting to be held not more than fifteen (15) days after the receipt of such demand. At such meeting, such action of actions may be modified or disapproved by the vote of the majority of the members present and constituting a quorum, or by unanimous vote of those present and who constitute not less than a majority of a quorum as hereinafter provided in paragraph C of Section 6, but if not so modified or disapproved, it shall stand as the action of the Commission.

(e) Dismissal – Reason For. If any member of the Executive Committee appointed by the President is absent for three (3) unexcused consecutive meetings, he may, at the option of the President, be considered to have resigned and shall not be counted thereafter in the numerical requirements of a quorum, unless and until a successor has been appointed by the President and said appointment confirmed by the Commission

(f) Voting Privileges. Only members of the Regional Planning Commission shall have voting privileges.

SECTION 6 – MEETINGS OF THE COMMISSION AND ITS COMMITTEES

A. MEETINGS OF THE COMMISSION. The Commission shall hold a regular annual meeting in the month of January, and regular scheduled monthly meetings as business mandates. Such meetings are to be conducted according to Robert's Rules of Order, latest addition. Special Meetings may be called by the President or at the request of any three members, for any purpose of the Commission and shall be called for the purpose of review in the manner above provided in Section 5, Article B, Part 1 (d). The Director of the Commission shall mail or deliver written notice of each regular or special meeting to each member of the Commission not more than ten (10) days, nor less than seven (7) days, before such meeting. Notices of any special meetings shall state the purpose for

which such meeting is called. At this special meeting, only the item(s) specified in the notice of the meeting shall be acted upon.

B. MEETINGS OF THE EXECUTIVE COMMITTEE. The Executive Committee shall provide by rule for its regular and special meetings. Such meetings are to be conducted according to Robert's Rule of Order, latest edition.

C. QUORUM. At any meeting of the Commission or Executive Committee, a quorum shall consist of one-half of the official membership roster plus one but a lesser number may, however, adjourn the meeting from time to time, provided, however, that if a quorum shall not be present at any meeting of either the Commission or Executive Committee, and the President, or in his absence the Vice-President, shall deem action necessary on any matter determined by him to be any emergency matter, he shall lay such matter before the meeting and if approved by the unanimous vote of those present, including the presiding officer, whose numbers constitute not less than a majority of the number needed for a quorum, including therein the vote of the presiding officer, such vote shall be taken as and for the action of the Commission or Executive Committee.

SECTION 7 – FINANCIAL PROVISIONS

A. FEES.

1. Fees may be charged for services provided by the Commission.

2. The Regional Planning Commission may accept, receive and expend funds, grants and services from the Federal Government or its agencies, from departments, agencies and instrumentalities of the State or local government, or from civil sources and contract with respect thereto and provide such information and reports as may be necessary to secure such financial aid.

B. APPROPRIATIONS. The Commission at its regular January meeting in each year, make appropriations for that year, which appropriations may be modified or supplemented from time to time during the year, but shall at no time, exceed the total amount received or due from authorized sources.

C. EXPENDITURES AND DISBURSEMENTS.

1. Method. All disbursements of the Regional Planning Commission shall be by voucher drawn on the Auditor of Wyandot County.

2. Major Expenditures and Disbursements. All expenditures, disbursements, or commitments or contracts for expenditures or disbursements shall be authorized by a majority of the Executive Committee.

SECTION 8 – CERTIFICATION AND ADOPTION OF PLANS

A. CERTIFICATION OF LOCAL COMMUNITIES. The Commission, after making the Regional Plan, or any change, supplement or abolition thereof, shall certify a copy thereof to each cooperating local and county government.

B. ADOPTION BY LOCAL COMMUNITIES – EFFECT. The Planning Commission as any municipality to which such plan, change supplement, or abolition is certified, may adopt the same, and it shall thereupon have the same force and effect within such municipalities as provided by law or charter for plans prepared and adopted by said Planning Commission. The County Commissioners of each County may adopt said plan, change, supplement or abolish, so far as is related to non-municipal territory within their jurisdiction.

C. EFFECT IN COMMUNITIES NOT ADOPTING. Said plan, changes, supplement, or abolition shall not effect any municipality unless so adopted by its Planning Commission, nor in any non-municipal territory unless so adopted by the County Commissioners of each County.

D. FILING WITH COUNTY RECORDER. When so adopted, said plan, change supplement, or abolition shall be certified to the Regional Planning Commission and filed with the County Recorder of each county, as provided by law.

SECTION 9 – COMMUNITY PLANNING SERVICE

A. AGREEMENT FOR COMMUNITY PLANNING SERVICE. The Director or Planning Advisor is authorized to undertake any of the following or similar projects on a contractual basis as directed by the Planning Commission.

1. Long range comprehensive planning programs with or without federal financial assistance.

B. REPORTS ON PROGRESS ON COMMUNITY PLANNING. A report on any activities in progress or under consideration shall be presented by committees so designated by the President at each quarterly meeting of the Regional Planning Commission.

SECTION 10 – PERSONNEL

A. The Commission may upon the recommendation of the Executive Committee, employ a Director, fix his compensation, and term of employment.

B. The Executive Committee may authorize travel expenses for personnel while they are performing duties of the Commission.

C. The Director shall serve in an advisory capacity to the commission, process commission applications, present appropriate application requests to the commission for action, make arrangements for commission meetings and send meeting notices and minutes to members, and act as secretary at commission meetings. The Director shall not have voting privileges on commission matters.

SECTION 11 – INCLUSION OF STATUTES AND SEVERANCE CLAUSE

A. All applicable statutes of the State of Ohio are included in these By-Laws and Rules of Procedure and made a part thereof.

B. 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.

SECTION 12 – WITHDRAWAL

The Planning Commission or legislative authority of any cooperating municipality, or Board of County Commissioners of any cooperating county, may withdraw their cooperation hereunder at any time by adopting a resolution specifying to withdraw, and delivering a certified copy thereof to the Director of the Regional Planning Commission. In the case of cooperating municipalities, such resolution must be approved by the legislative of said municipality. Such withdrawal shall be effective upon delivery, but shall not relieve the withdrawing party of its obligations, nor shall it withdraw for that year the party's territory from the region.

SECTION 13 – AMENDMENT

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

A. A resolution approving the form of such proposed amendment shall be adopted by the Commission or Executive Committee at least fifteen (15) days in advance of the next regular meeting of the Commission, or a petition signed by at least five (5) members setting forth the proposed amendment shall be delivered to the Director at least fifteen (15) days in advance of the next regular meeting of the Commission.

B. The Director shall thereafter, but not less than seven (7) 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 to action at the next regular meeting of the Commission.

C. Such proposed amendment shall be presented at the next regular meeting of the Commission and be considered as moved and seconded for adoption. Such amendment shall be deemed adopted upon receiving the affirmative vote of a quorum of the members as provided for in Section 6 paragraph C of these By-Laws.

D. Section 7 and 12, in addition to steps A, B, C, and D of this section may be amended only after the proposed amendment has been approved by the Board of County Commissioners of the region, and a majority of the participating municipalities, such action to be completed within six (6) months of the date of the approval of the proposed amendment by the Boards of County Commissioners of the cooperating counties.

THESE BY-LAWS AND RULES OF PROCEDURE WERE ORIGINALLY APPROVED ON FEBRUARY 25, 1969 BY THE WYANDOT REGIONAL PLANNING COMMISSION SITTING AT ITS ORGANIZATIONAL MEETING. THEY HAVE SINCE BEEN AMENDED (1) ELIMINATING THE OFFICE OF SECOND VICE-PRESIDENT, AND (2) ADDING AN ADDITIONAL CITIZEN MEMBER REPRESENTING MINORITY GROUPS THROUGH A REVISION MADE AS OF MAY 7, 1991 DUE TO A NEED TO EXPAND THE MEMBERSHIP TO INCLUDE ALL TOWNSHIPS, VILLAGES AND CITIES.

THIS REVISION MADE AS OF OCTOBER 27, 2004 AMENDED (1) REWORDING COUNTY, TOWNSHIP AND CITIZEN MEMBERSHIP, (2) ELIMINATING CITY & VILLAGE MEMBERSHIP, (3) ELIMINATING THE OFFICE OF SECRETARY, (4) REPLACING SECRETARY WITH VICE PRESIDENT AND ELIMINATING COUNTY PROSECUTOR AND TAX MAP REPRESENTATIVE FROM THE EXECUTIVE COMMITTEE, (5) APPOINTING THE DIRECTOR AS RESPONSIBLE FOR MAILINGS, (6) REWORDING QUORUM, AND (7) ADDING PARAGRAPH C UNDER PERSONNEL REGARDING THE POSITION OF THE DIRECTOR.

THIS REVISION MADE AS OF MARCH 21, 2013 AMENDED (1) CHANGING THE NAME OF THE REGIONAL PLANNING COMMISSION, (2) ELIMINATING THE NOMINATING COMMITTEE, AND (3) REVISING THE MINIMUM NUMBER OF MEETINGS REQUIRED PER YEAR.

THIS IS A TRUE AND ACCURATE COPY OF THE BY-LAWS AND RULES OF PROCEDURE OF THE WYANDOT COUNTY REGIONAL PLANNING COMMISSION AS ORIGINALLY ADOPTED AND AS AMENDED THROUGH MARCH 21, 2013.