



RESOLUTIONS AND BYLAWS
FOR
REGIONAL PLANNING AND COORDINATING COMMISSION
OF GREENE COUNTY

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Amended: February 24, 1976
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SECTION I AUTHORIZATION

The authorization for the establishment of the Regional Planning and Coordinating Commission of Greene County is set forth under Section 713.21, Chapter 713, Ohio Revised Code, and amendments and supplements thereto. The Board of County Commissioners of Greene County, Ohio, acted in accordance with the above mentioned enabling law to establish the Regional Planning Coordinating Commission of Greene County by resolution dated April 20, 1973, as follows:

Resolution adopted:

IN THE MATTER OF CREATING THE REGIONAL PLANNING AND
COORDINATING COMMISSION OF GREENE COUNTY
RESOLUTION NO. 73-19

BE IT RESOLVED, that the Board of Greene County Commissioners of Greene County, Ohio, in accordance with the Ohio Revised Code, do hereby create the Regional Planning and Coordinating Commission of Greene County, Ohio, and that this official body determines to cooperate with the Planning Commission of any political subdivisions located within said County in the creation and maintenance of the Greene County Planning and Coordinating Commission on the above stated terms.

/S/James A Ford, Sr. _____

/S/Joseph E. Haines _____

/S/James J. Cain _____

/S/Joan Anderson _____

Clerk

_____ April 20, 1973

date

SECTION II TITLE

The title or name of the Commission shall be the "Regional Planning and Coordinating Commission of Greene County," and shall hereinafter sometimes be referred to as "Commission."

SECTION III THE REGION

Article 3.01 County Jurisdiction

The Region for which the Commission shall be created and maintained may be all of Greene County.

SECTION IV MEMBERSHIP

Article 4.01 County Representatives

The representation of the County shall be the three (3) county commissioners who shall serve during their terms of office. Serving ex-officio from the county shall be the: County Engineer, County Combined Health District Commissioner, County Agricultural Extension Agent, County Auditor, County Treasurer, County Soil and Water Conservation District Administrator, County Prosecuting Attorney, County Chief Building Official, County Sanitary Engineer, County Parks and Trails Director, County Park District, County Department of Development Director, and County Emergency Management Director.

Article 4.02 Township Trustees Representatives

Each Board of Township Trustees shall have one (1) official representative and alternate. In addition, serving ex-officio from the township shall be the: Township Road Superintendent, Township Zoning Inspector, Township Fire Inspector, Township Planner, Township Zoning Commission representative.

Article 4.03 Municipal Representatives

Each incorporated municipality shall have one official representative from the elected body and alternate. In addition, serving ex-officio from the municipality shall be the: Manager, Engineer, Planners, Zoning Administrator, Building Inspectors, Recreation and Parks Department, Fire Chief, and/or Planning Commission representative.

Article 4.04 Other Representatives

Other ex-officio representatives on the Commission shall be: Wright State University, Cedarville University, Central State University, Wilberforce University, Antioch College, Clark State Community College, Greene County Career Center, Beavercreek, Cedarcliff, Fairborn, Greenview, Sugarcreek, Xenia And Yellow Springs School Districts, Wright-Patterson Air Force Base, District Library Director and other entities whose inclusion would be of benefit to the Commission.

Article 4.05 Vacancies and Dismissals

If any member or their designated alternate of the Regional Planning and Coordinating Commission of Greene County is absent for three (3) consecutive meetings, such member may, at the option of the Executive Committee, 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 participating member body. If any member is so dismissed for non-attendance, the President shall instruct the Secretary to so notify the participating body of his/her dismissal and request an appointment of a new member.

SECTION V OFFICERS AND COMMITTEES

Article 5.01 President and Vice President

A President and Vice President shall be elected by the Regional Planning and Coordinating Commission of Greene County at its first regular meeting each year and shall hold office until the first regular meeting in the succeeding year after the election and until his/her successor is elected and qualified. It shall be the duty of the President to serve as the principal executive officer of the Commission, to conduct its meetings, execute contracts, and to perform such other duties as the Commission shall from time to time direct. It shall be the duty of the Vice President to assist the President and to serve in his/her absence, and to perform such other duties as the Commission shall from time to time direct.

Article 5.02 Secretary

The Secretarial duties of the Commission shall be the responsibility of the office of the Commission.

Article 5.03 Treasurer

The Treasurer duties of the Commission shall be the responsibility of the office of the Greene County Auditor.

Article 5.04 Other Officers

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 or the Executive Committee.

Article 5.05 Nominations

On or before December 1st of each year, the President shall appoint a Nominating Committee of five (5) members of the Commission, which Committee shall prepare a list of one (1) or more nominations for each office, selected from among the members of the Commission for its officers. Such list shall be mailed to each member of the Commission at least seven days prior to the first regular meeting of the Commission in the following year. Additional nominations may be made from the floor by any member of the Commission at the Annual Meeting. Election shall be by ballot, and tally shall be made by the Nominating Committee.

Article 5.06 Officer Vacancies

If any executive office shall become vacant by reason of death, resignation, disqualification, or any other cause, the vacancies shall be filled immediately by election or appointment in the regular manner for the unexpired remainder of the term.

Article 5.07 Executive Committee and Officers

There shall be an Executive Committee of the Regional Planning and Coordinating Commission of Greene County consisting of the President, Vice President and five (5) other members of the Commission. All members shall be elected officials and elected from the official membership. The Executive Committee shall be comprised of at least one representative each from the Greene County Commissioners, townships and municipalities. Excluding any municipal member serving as president or vice president, municipal representatives shall serve on a rotating basis among member municipalities and no such municipal representative shall serve two or more consecutive years on the executive committee unless all other municipal members have declined to serve for that year.

Article 5.08 Special Committees

Special committees shall be appointed by the President with the approval of the Commission.

Article 5.09 Reports

All reports of Committees appointed by the President, unless otherwise directed, shall be submitted in writing to the Executive Committee for authorization of issuance, approval of contents, or recommendation for further study, before being acted upon.

SECTION VI POWERS AND DUTIES OF COMMISSION

Article 6.01 Regional Plans

The Regional Planning and Coordinating Commission of Greene County shall make studies, maps, plans, and other reports of the region or county respectively, which may include adjoining areas, showing the commission's recommendations for systems of transportation, highways, park and recreational facilities, water supply, sewage disposal, garbage disposal, civic centers, and other public improvements and land uses which affect the development of the region as a whole or as more than one political unit within the region, and which did not begin and terminate within the boundaries of any single municipal corporation.

Article 6.02 Amendments to Regional Plans

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.

Article 6.03 Community Assistance

The Commission may undertake for any cooperating political subdivision of the county the study, planning, mapping, and reports involving the use of land within the boundaries of such political subdivision and involving a planning or zoning project which is particularly or directly applicable and which is initiated by such political subdivision. The cost of such shall be paid by the political subdivision in such manner and amount as may be agreed upon between the Executive Committee of the Regional Planning and Coordinating Commission of Greene County and the legislative authority of such political

subdivision.

Article 6.04 Other Powers

Said Regional Planning and Coordinating Commission of Greene County shall have all powers and duties now or hereafter provided by law for Regional Planning Commission as found in the Ohio Revised Code.

Article 6.05 Reference Library

The Commission shall cause to be established a reference collection containing copies of all officially adopted planning and zoning documents and codes of each member, and of each nonmember political subdivision of the county. It shall also seek similar documents from adjacent political subdivisions surrounding Greene County and such other materials as may be useful to the Commission.

SECTION VII POWERS AND DUTIES OF EXECUTIVE COMMITTEE

Article 7.01 Powers of Executive Committee

All of the powers and duties of the Regional Planning and Coordinating Commission of Greene County except as otherwise provided in the statutes of the State of Ohio, or in the terms of this resolution of cooperation, 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.

Article 7.02 Adoption of Plan

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 cause a copy thereof to be sent by mail or delivered personally to each member of the Regional Planning and Coordinating Commission of Greene County and a written record to be made of each such mailing or delivery. Any member of the Commission may, within ten days after the mailing or delivering of his copy, serve written demand on the Secretary of the Commission for a special meeting of the Commission to review such map, plan, change, supplement, or abolition, in which case the Secretary shall call such special Commission meeting to be held not more than fifteen (15) days after the receipt of such demand. At such special meeting such map, plan, change, supplement, or abolition may be modified or disapproved by the vote of the majority of the members of the

Planning Commission.

SECTION VIII MEETINGS

Article 8.01 Meetings of Commission

The Regional Planning and Coordinating Commission of Greene County shall hold regular meetings during each year; unless otherwise directed, by vote of the Commission, said meetings shall be held the fourth Tuesday of each month at a place to be announced with notice of meeting. The regular meeting in January shall constitute the annual meeting of the Commission for the election of officers and Executive Committee and for organization purposes. Special meetings may be called by the President or by any three (3) members for any purposes of the Commission. The Secretary shall mail or deliver written notice of each regular or special meeting to each member of the Commission not less than five (5) days prior to each meeting. Notices of special meetings shall state the purpose for which such meeting is called.

Article 8.02 Meetings of the Executive Committee

The Executive Committee shall provide, by its own rule, for any regular or special meetings it may deem necessary; and, in the absence of any regularly scheduled meetings, the Executive Committee shall meet upon the call of the President, or in his absence, upon the call of the Vice President.

Article 8.03 Quorum

At any meeting of the Executive Committee, a quorum shall consist of a majority of all voting members thereof. At any meeting of the Regional Planning and Coordinating Commission, a quorum shall consist of a majority of all voting members thereof, minus any voting member and their alternate who have been absent from three consecutive prior meetings. A lesser number of members may adjourn any meeting from time to time.

Article 8.04 Voting

Only members of the Regional Planning and Coordinating Commission of Greene County shall have voting privileges. A voting member's designated alternate may vote if the designated member is absent from that meeting. Ex-officio members will not have voting privileges. All actions of the Planning Commission or Executive Committee shall

be by resolution or motion. Voting shall be by roll call and the Secretary shall keep or cause to be kept a record of each vote showing the ayes, nays, not voting, or the absence of any members.

Article 8.05 Parliamentary Procedures

Unless otherwise specified herein, Robert's Rules of Order shall govern the proceeding at the meetings of the Planning Commission.

SECTION IX CERTIFICATION AND ADOPTION OF PLAN

Article 9.01 Local Community Certificate

The Commission, after making the regional plan, or change, supplement, or abolition thereof, shall certify a copy thereof to each political subdivision of the Region and to each township and to the County Commissioners of Greene County.

Article 9.02 Local Community Adoption

The Legislative body of any political subdivision 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 political subdivision as is provided by law or charter for plans prepared and adopted by said planning commission., The County Commissioners of Greene County may adopt said plan, change, supplement, or abolition so far as it relates to non-municipal territory within their jurisdiction.

Article 9.03 Local Communities Not Adopting

Said plan, change, supplement, or abolition shall be of no effect in any political subdivision unless so adopted by its legislative body, nor in any non-municipal territory unless so adopted by the County Commissioners of Greene County, or as provided by state statutes.

Article 9.04 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, as provided by Section 713.27 of the Ohio Revised Code.

SECTION X PLANNING SERVICES

Article 10.01 Membership Privileges

Any municipality, township, or county which is a member of the Regional Planning and Coordinating Commission of Greene County and has paid its pledge contribution within the first three (3) months of the current year shall, without additional contribution or payments, be entitled to the following:

- 10.01.1 Consultation by local planning officers with staff members of the Regional Planning and Coordinating Commission of Greene County in minor or special planning problems.
- 10.01.2 A review regarding any preliminary plan of a subdivision of a limited area, filed with the political subdivision in which the subdivision is proposed.
- 10.01.3 The occasional attendance by a staff member of the Regional Planning and Coordinating Commission of Greene County at meetings of the political subdivision planning commission or legislative body to render advice and assistance on specific local planning matters.
- 10.01.4 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 member body.
- 10.01.5 Member organizations shall have first priority of staff time of the commission.

Article 10.02 Planning Services Agreement

The President is hereby authorized to undertake for the Planning Commission, or legislative body of any political subdivision which is a member of the Regional Planning and Coordinating Commission of Greene County or the planning or zoning commission of any other political subdivision in the county, in addition to the above mentioned services, the study, planning, and mapping of, or reporting upon, public improvements, or the use or development of land within the boundaries of such political subdivision, which affect the development of the region as a whole or which do not begin or terminate within such political subdivision in accordance with any special agreement authorized or approved by the Executive Committee.

Article 10.03 Planning Fees and Charges

All charges for services rendered pursuant to Article 10.02 of this Section shall be determined on the basis of cost of staff time, materials, and travel, plus a percentage of overhead to be determined by computing the percentage of the Commission's total current budget committed to overhead expenses.

Article 10.04 Agreement Procedure

Service Agreements between political subdivisions of the Region and the Regional Planning and Coordinating Commission shall be consummated upon the: 1) resolution of municipal or township members requesting the Regional Planning and Coordinating Commission of Greene County to proceed with specified planning services; and appropriating the necessary funds to cover the cost of the work to be performed by the members of the staff of the Regional Planning and Coordinating Commission of Greene County during the current year, to be followed by supplemental appropriations in succeeding years as required to complete the specified services; and 2) a resolution by the Executive Committee of the Commission authorizing the President to sign and the Executive Director to proceed with such work pursuant to the requests of the legislative body of such municipality, and township trustees or other political subdivisions of the region.

Article 10.05 Planning Progress Reports

Copies of all written reports, documents, or plans in connection with planning service rendered by agreement to any municipality, political subdivision, or administrative body or bureau thereof, shall be mailed to the Executive Committee members at the time they are issued.

SECTION XI FINANCIAL PROVISIONS

Article 11.01 Submission of Budget

A budget for maintaining the Regional Planning and Coordinating Commission of Greene County shall be submitted to the participating governmental bodies and the Greene County Administrator by July, in accordance with the budget basis of the Ohio Revised Code of each calendar year, and the amounts to be paid to the Regional Planning and Coordinating Commission of Greene County by the participating governmental bodies shall be apportioned.

Article 11.02 MEMBERSHIP DUES

Financial support to the Regional Planning and Coordinating Commission of Greene County (RPCC) from the county, townships and municipalities for the calendar year 2016 shall be based upon population counts from the 2010 decennial census and governed by the following provisions:

- 11.02.1 The Board of County Commissioners of Greene County shall contribute funds, at a ninety cents per capita rate of the total population of the county.
- 11.02.2 Each Township and Municipality cooperating in the maintenance of the Regional Planning and Coordinating Commission of Greene County herein, shall contribute based upon its population according to the latest Federal Decennial Census. Said proportionate shares shall be at a twenty-five cents per capita rate for townships, at a twenty-five cents per capita rate for municipalities with a population of less than twenty thousand and at a ten cents per capita rate for municipalities with a population of twenty thousand or more. No membership dues shall be less than one hundred (100) dollars for any individual year.
- 11.02.3 County, township and municipal contributions payable for calendar years subsequent to 2016 shall be based upon the latest population estimates published by the Office of Research of the Ohio Development Services Agency, a state affiliate of the U.S. Census Bureau.
- 11.02.4 In the event one or more municipalities, or parts thereof, are situated within a township, the population of such township to be used in calculating its proportionate share shall exclude the population within such municipalities.
- 11.02.5 In the event a municipality is situated within Greene County and one or more additional counties, the population of such

municipality to be used in calculating its proportionate share shall include only the population within Greene County.

- 11.02.6 Population housed within the boundaries of a federal military installation situated within any township shall be excluded from the population used to calculate any proportionate share for such township. Such number used shall be documented in a decennial census count and/or an estimate provided by the census bureau or its state affiliate in between the decennial census counts.

Article 11.03 Financial Limitation

The allocation or appropriations established by the preceding article shall be limited by and not exceed the budget, as prepared by the Commission.

Article 11.04 Authority to Receive Grants

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

Article 11.05 Certification of Appropriations

The Commission shall, at its regular January meeting in each year, make appropriations for its expenses 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 the participating township, villages, cooperating municipalities, public agencies, the Federal Government, or other sources.

Article 11.06 Expenditures and Disbursements

All disbursements of the Regional Planning and Coordinating Commission of Greene County shall be made by vouchers drawn on the Auditor of Greene County signed as hereinafter provided. All expenditures, disbursements, or commitments or contracts for expenditures or disbursements, when in excess of \$100.00 shall be authorized by the Executive Committee. Expenditures, disbursements, or commitments or contracts for expenditures or disbursements in an amount of \$100.00 or less shall be authorized by the President, or in his absence, by the Vice President, provided that no one of them

shall approve his own account.

Article 11.07 Audit of Records

An audit and examination of the financial records of the Regional Planning and Coordinating Commission of Greene County shall be performed by the Office of Auditor of State, as required. A copy of the audit shall be made a part of the permanent records of the Commission.

SECTION XII PERSONNEL

The Commission shall employ the Planning Director and set his reimbursement. The Executive Committee shall be responsible for all aspects of staff employment and empowered to employ the needed staff on recommendation of the Planning Director. An employment panel shall be used to screen and recommend potential employees. The employment panel shall be comprised of the Planning Director, County Administrator and County Personnel Director.

Article 12.01 Other Employees

All other persons shall be employed by the Director only after the prior approval of the Executive Committee and recommendation to hire by the employment panel.

Article 12.02 Job Qualifications

The Executive Committee shall adopt a classification of jobs to be performed by employees of the Regional Planning and Coordinating Commission of Greene County which schedule shall establish the maximum number of jobs for each classification and appropriate wage or salary wage or salary rates for each such classification. Such job classification, upon its adoption, may be amended by the Executive Committee from time to time.

Article 12.03 Increases and Reclassification

The Director may, after the prior approval of the Executive Committee, increase the wage of any person within any classification or reclassify any employee and pay an appropriate wage within such new classification.

Article 12.04 Overtime, Vacation, Sick Leave

The Regional Planning and Coordinating Commission shall follow the overtime, vacation

and sick leave policies adopted by the County.

Article 12.05 Unclassified Employees

No person shall be employed for a job or position with the Regional Planning and Coordinating Commission of Greene County if not within any of the established job classifications, or in excess of maximum number established for any job classification without the prior approval of the Executive Committee.

Article 12.06 Outside Employment

Employees of the Regional Planning and Coordinating Commission of Greene County shall be permitted to assist occasionally those public agencies that are not and cannot become members of the Regional Planning and Coordinating Commission of Greene County and then such employment may be entered into only under the following conditions:

Outside employment shall have the prior authorization of the Director, subject to the approval of the Executive Committee. Such employment shall be at a time other than that regularly required by the Regional Planning and Coordinating Commission of Greene County provided only that if outside work must be done during regular working hours, then leave, without pay or with compensatory time through overtime, must be obtained.

Article 12.07 Travel Authorization and Compensation

In the event that it is necessary for one or more officers, members of employees of the Commission to travel outside the Regional area on Commission business, the following conditions shall apply:

All travel expenses incurred, including the type of travel, outside the area shall be authorized by the President of the Commission, or in his absence, the Vice Presidents in order. All employees shall be reimbursed for the normal use of their private cars on Commission business inside or outside the region at a rate as established by the Commission, except that the Director may alter the rate under the following conditions:

Raise the rate of compensation for any special projects

involving long and continuous use of an employee's car, i.e., Land Use Surveyor any other use exceptionally hard on said car.

SECTION XIII AMENDMENT PROCEDURES

These bylaws may be amended from time to time only in accordance with the following procedure:

Article 13.01 Resolution Approving Amendments

A resolution approving the form of such proposed amendment shall be adopted by the 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, and shall be delivered to the Secretary at least fifteen (15) days in advance of the next regular meeting of the Commission.

Article 13.02 Submission of Proposed Amendments

The Secretary shall thereafter, but not less than ten (10) 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.

Article 13.03 Adopted Amendments

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 majority of the members of the Commission.

Article 13.04 Provision of Financial Amendment, Section XI

Financial Provision, in addition to Article 13.01 through 13.03 of this section, may be amended only after the proposed amendment has been confirmed by the County Commissioners of Greene County, and a majority of the participating political subdivisions such action to be completed within six (6) months of the date of the proposed amendment by the County Commissioners approval.

SECTION XIV STATUTES AND SEVERANCE CLAUSE

Article 14.01 Inclusion of Statutes

All applicable statutes of the State of Ohio are included in these bylaws and rules of procedure and made a part hereof.

Article 14.02 Inclusion of Severance Clause

The invalidity of any section or provision of the Resolution of Cooperation or Bylaws and Rules of Procedure shall not invalidate any other portion thereof.

SECTION XV WITHDRAWAL

Article 15.01 County, Municipal, or Township Membership Withdrawals

Any member county, municipality, or township may withdraw their cooperation hereunder at any time by a resolution to do so and delivering a certified copy thereof approved by the legislative body of said county, municipality, or township, to the Director of the Regional Planning and Coordinating Commission of Greene County. Notice of intention to withdraw must be submitted one year in advance of withdrawal. The withdrawal notice shall not relieve the withdrawing party of its obligation to contribute its share of the cost for the year in which the withdrawal occurs.

SECTION XVI TIME OF TAKING EFFECT

Article 16.01 Terms of Cooperation

These terms of cooperation shall take effect on January 1, 1973, provided that prior thereto they shall have been agreed to by the County Commissioners, Township Trustees, and the legislative bodies of all participating political subdivisions.

Article 16.02 Submission of Resolution

Be it further resolved, that the Secretary of the Commission is hereby instructed to forward a copy of this resolution to the Board of County Commissioners of Greene County and to each cooperating political subdivision, with a request that it be approved by said board.

SECTION XVII DISSOLUTION OF PLANNING COMMISSION

The Regional Planning and Coordinating Commission of Greene County shall be dissolved only after and upon full compliance with the procedure for dissolution as described herein: The president of the Commission shall notify every member of the Commission by registered mail (return receipt requested) at least sixty (60) days before the day of the Commission at which time a motion for dissolution is to be discussed. At said meeting, a motion will be entertained to dissolve the Regional Planning and Coordinating Commission of Greene County. Following said motion which is duly made and seconded, each member in attendance shall be polled and his vote recorded.

After the votes have been tabulated and it has been ascertained that more than two-thirds ($66\frac{2}{3}$ per cent) of the full membership of the Regional Planning and Coordinating Commission of Greene County has voted to dissolve the Regional Planning and Coordinating Commission of Greene County, the Commission shall be dissolved. At the earliest possible date following date of dissolution, all monetary debts incurred by the Commission, Executive Committee and/or the staff, shall be paid in full. All remaining assets of the Commission shall be disposed of in the manner agreed to by a majority of the Commission members present at the time of dissolution.

Each political subdivision represented on the Commission at the time of dissolution shall be entitled to and receive its pro-rata share of the net proceeds from the disposal of the assets after all debts are paid.

Filename:K/data/word/shared/RPCC Bylaws Amendment Sep 29 2015 - Final