

BYLAWS OF THE CARROLL COUNTY PLANNING COMMISSION

ARTICLE I-OBJECTIVES AND TITLE

- 1-1. This Planning Commission, established in conformance with the provisions of Chapter 22, Article 2 of Title 15.2, of the Code of Virginia, 1950, as amended hereby adopts the following By-Laws in order to facilitate its powers and duties in accordance therewith.
- 1-2. The official title of this Planning Commission shall be the “Carroll County Planning Commission.”

ARTICLE II-MEMBERS

- 2-1. The Planning Commission shall consist of eight (8) members to be appointed by the Carroll County Board of Supervisors. All members of the Commission shall meet the qualifications of office established by the Code of Virginia and shall, prior to assuming office, take an oath of office.
- 2-2. Members shall be appointed for a term of four (4) years. One elected member of the Carroll County Board of Supervisors may be appointed to the Commission for a term coextensive with their elected office. Any vacancy in the membership shall be filled by appointment by the Board of Supervisors. Any appointed member may be removed only in accordance with the provisions of State law. The members are encouraged to attend the courses available under the Virginia Citizens Planning Association or other planning organizations. The Board of Supervisors may provide for the payment of compensation and reasonable expenses incurred by Commissioners in the performance of their official duties.
- 2-3. The Commission shall, at least once per year, make such recommendations and an annual report to the Carroll County Board of Supervisors concerning the operation of the Commission and the status of planning within its jurisdiction. The Commission shall prepare, publish, and distribute reports, ordinances, and other materials related to its activities. The Commission shall prepare and submit an annual budget in the manner prescribed by the Board of Supervisors.

ARTICLE III-OFFICERS AND THEIR SELECTION

- 3-1. The officers of the Planning Commission shall consist of a Chairman, Vice-Chairman, and a Secretary/Clerk.

- 3-2. Nomination of officers shall be made from the floor at the regular January meeting each year. Election of officers shall follow immediately.
- 3-3. A candidate receiving a majority vote of the entire membership of the Planning Commission shall be declared elected. He shall take office immediately and serve for one (1) year or until his successor shall take office.
- 3-4. Vacancies in office shall be filled immediately by regular election procedures.

ARTICLE IV-DUTIES OF OFFICERS

- 4-1. The Chairman shall be a citizen member of the Commission and shall:
 - 4-1-1. Preside at all meetings whenever possible.
 - 4-1-2. Appoint committees, special and/or standing.
 - 4-1-3. Rule on all procedural questions (subject to a reversal by two-thirds (2/3) majority vote of the members present).
 - 4-1-4. Be informed immediately of any official communication and report and such communication at the next regular meeting.
 - 4-1-5. Carry out other duties as assigned by the Commission.
 - 4-1-6. Be responsible for preparing an agenda for each meeting.
- 4-2. The Vice-Chairman shall be a citizen member of the Commission and shall:
 - 4-2-1. Act in the absence or inability of the Chairman to act.
 - 4-2-2. Have the powers to function in the same capacity as the Chairman in cases of the Chairman's inability to act.
- 4-3. The Secretary/Clerk shall:
 - 4-3-1. Supervise and certify all minutes, maps, records and report of the Commission.
 - 4-3-2. Keep a written record of all business transacted by the Commission.
 - 4-3-3. Notify all members of all pending meetings.

- 4-3-4. Give notice of all hearings and public meetings.
- 4-3-5. Attend to the correspondence of the Commission.
- 4-3-6. Keep a set of minutes of all meetings.
- 4-3-7. Provide newly appointed members, as soon as possible upon appointment, with copies of these By-Laws, the County Subdivision Ordinance, the County Mobile Home Park Ordinance, the County Comprehensive Plan, the Planning Commission minutes for the six (6) months prior to the new member's appointment, a copy of the Virginia Freedom of Information Act and Conflict of Interest Act.

ARTICLE V-STANDING AND SPECIAL COMMITTEES

- 5-1. Special committees may be appointed by the Chairman for the purposes and terms approved by the Commission.

ARTICLE VI-MEETINGS

- 6-1. The regular meeting of the Commission shall be held on the 3rd Thursday of each month at 7:00 p.m., unless otherwise designated by the Commission. When a meeting date falls on a legal holiday, the meeting shall be held on the day following, unless otherwise designated by the Commission.
- 6-2. Special meetings may be called at the request of the Chairman or by two (2) members upon written request to the Secretary. The Secretary shall notify all members, as is reasonably possible in advance of a special meeting, with a notice fixing the time and place of the meeting and the purpose thereof. Written notice of a special meeting is not required if the time of the special meeting has been fixed at a regular meeting or if all members are present at the special meeting or file a written waiver of notice.
- 6-3. All meetings, hearings, records, and accounts, not otherwise exempt from the open meeting requirements of the Virginia Freedom of Information Act, shall be open to the public.
- 6-4. A majority of the members of the Commission shall constitute a quorum. No action of the Commission shall be valid unless authorized by a majority vote of those present and voting. Voting shall be by roll call, in which case a record shall be kept as a part of the minutes.

- 6-5. No preliminary or final plat of any subdivision shall be considered for approval by the Commission unless filed with the Subdivision Agent at least fourteen (14) business days prior to the meeting in which it is to be considered.

ARTICLE VII-ORDER OF BUSINESS

- 7-1. The order of business for a regular meeting shall be:
- 7-1.1 Call to order by Chairman.
 - 7-1.2 Roll call.
 - 7-1.3 Approval of minutes.
 - 7-1.4 Public comment.
 - 7-1.5 Approval of plats.
 - 7-1.6 Report of Subdivision Agent.
 - 7-1.7 Report of Special Committees.
 - 7-1.8 New business.
 - 7-1.9 Old Business.
 - 7-1.10 Adjournment.
- 7-2. Motions shall be restated by the Chairman before a vote is taken. The names of persons making and seconding motions shall be recorded.
- 7-3. Parliamentary procedure in Commission meetings shall be governed by the adopted rules of order, namely, Roberts' Rules of Order for Small Groups, unless procedure is waived by a three-fourths (3/4) majority of the members present. The Chairman may impose a time limitation of not more than five (5) minutes on public speakers in the public comment period to insure those appearing have an equal opportunity to be heard, and may require those wishing to speak at the public comment period to sign in prior to the beginning of the meeting.
- 7-4. The Planning Commission shall keep a set of minutes of all open meetings, and these meetings shall become a public record.

- 7-4-1. The Clerk shall prepare a set of minutes for all regular, adjourned, and special meetings.
- 7-4-2. The Secretary/Clerk shall sign all minutes, and at the end of the year, shall certify that the minutes of the preceding year are a true and correct copy.
- 7-4-3. Official minutes shall be kept in County offices.

ARTICLE VIII-HEARINGS

- 8-1. In addition to those required by law, the Commission, at its discretion, may hold public hearings when it decides that a hearing will be in the public interest.
- 8-2. Notice of any public hearings shall be published in a newspaper of general circulation in Carroll County in accordance with Virginia statutory requirements or as directed by the Commission if no statutory requirements apply.
- 8-3. The matter before the Commission shall be summarized by the Chairman or other member delegated by the Chairman. Subject to the Chairman's recognition, interested parties shall have the privilege of the floor. Records or statements shall be recorded and may require to be sworn. The Chairman may impose a time limitation of three (3) minutes on each speaker to insure those appearing have an equal opportunity to be heard, and may require those wishing to speak to sign in prior to the public hearing.
- 8-4. A record shall be kept of those speaking before the hearing.

ARTICLE IX-CORRESPONDENCE

- 9-1. It shall be the duty of the Chairman to draft and sign all correspondence necessary for the execution of the duties and functions of the Planning Commission.
- 9-2. It shall be the duty of the Chairman to communicate by telephone or other means, when necessary, in the event that written communication cannot be carried out as rapidly as needed.
- 9-3. All official papers involving the authority of the Commission shall bear the signature of the Chairman or Vice-Chairman.

ARTICLE X-AMENDMENTS

- 10-1. These rules may be changed by a recorded two-thirds (2/3) vote of the entire membership after thirty (30) days prior notice. Notice may be waived if all members are present and voting.

ARTICLE XI-EFFECTIVE DATE

- 11-1. Nothing in the foregoing By-Laws shall be construed as invalidating any official business of the Commission previously transacted.
- 11-2. The foregoing By-Laws shall become effective by a recorded two-thirds (2/3) vote of the entire membership of the Commission in regular meeting.

Effective: January 20, 2011