

SENECA REGIONAL PLANNING COMMISSION

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BY-LAWS AND RULES OF PROCEDURE

AS ADOPTED ON:
FEBRUARY 16, 1995



SENECA

REGIONAL PLANNING

BY-LAWS SUBSEQUENTLY AMENDED:

1. **AUGUST 2, 1995** (Proxy Votes)
2. **FEBRUARY 7, 1996** (Election of Officers)
3. **JANUARY 7, 1998** (Meetings on Odd Months and December)
4. **DECEMBER 1, 1999** (Raise Assessments to .35)
5. **MARCH 1, 2000** (Meeting Place)
6. **NOVEMBER 9, 2000** (Omit reference to “County” in SRPC name)
7. **NOVEMBER 6, 2002** (Variance Vote)
8. **JULY 7, 2004** (Attendance and Proxy)
9. **NOVEMBER 2, 2005** (Abstaining from Vote)
10. **DECEMBER 7, 2005** (Raise Assessments to .50)
11. **MAY 5, 2010** (Meetings on Even Months and December/Proxy Requirement update)
12. **JUNE 6, 2012** (Change to Sect. VII. Meetings, Item F, referencing ORC 121.22/149.43)
13. **OCTOBER 10, 2012** (Change Sect. V Secretary Mins., Sect. VI & VII Jan. to Feb.)
14. **FEBRUARY 26, 2015** (Change Sect. IV, Election of Executive Officers)
15. **OCTOBER 5, 2016** (Change Sect. VIII, Financial Provisions, Apportionment of Cost)
16. **OCTOBER 5, 2017** (Amend item 15 cover page to reflect Section VIII; Change Sect. II A., Membership of the Commission; Change Sect. VIII B, Financial Provisions, Appropriations; Change Section VIII C, Fees.; Change Section X, Withdrawal, Change Section VIII D, Financial Provisions, Fiscal Year; Change Section VIII A, Apportionment of Cost for Commission membership)
17. **JUNE 3, 2020**
 - I. **Reformatting of the Title Page – Address Correction, Removal of Fax Number, addition of Logo**
 - II. **Addition of Amendment page(s)**
 - III. Section V C, Secretary, change to oversight of minutes, change to written or video recorded minutes with index, change to disbursement of minutes, add SRPC Administrative Staff primarily responsible for the publishing of the minutes and index
 - IV. Section VI, Executive Committee, Change monthly meeting to bi-monthly meeting
 - V. Section VI, Section A, Standing Committee Changes
 - Highway and Transportation Committee change to Highway and Infrastructure Committee
 - Bylaws Committee change to Bylaws & Governance Committee
 - Subdivision/Land-use/Zoning Committee
 - Community Economic Development Committee change to Community Development Committee
 - Addition of the Revolving Loan Fund Committee
 - Budget Committee addition of (Executive Committee will act as the Budget Committee)
 - Deletion of the Public Safety Committee
 - VI. Section VI, Section D, Committee Meetings, change he to they and him to them
 - VII. Section VII, Meetings, A, add or communicate through email

- VIII. Section, VII, Meetings, addition of bullet I – In case of County or City of Tiffin declaring emergency provision.
- IX. Section, VII, Meetings, addition of bullet J – Format for holding Commission, Executive Committee, and sub-committee meetings
- X. Section VIII, Financial Provisions, Part C- Complete edit with attorney’s advice, including additions of provisions and fee schedule
- XI. Section VII, Financial Provisions, Part E- Expenditures and Disbursements, Addition of Executive Director’s authority to make expense account adjustments up to and including \$5,000.00

PREAMBLE

By virtue of the adoption of a Resolution of Cooperation between the Board of County Commissioners of Seneca County, Ohio; Tiffin City Council; Fostoria City Council; Board of Township Trustees of the following townships: Adams, Big Spring, Bloom, Clinton, Eden, Hopewell, Jackson, Liberty, Loudon, Pleasant, Reed, Scipio, Seneca, Thompson, Venice; and the Village Councils of the following Villages: Attica, Bettsville, Bloomville, New Riegel, Republic; there has been created a Regional Planning Commission vested with powers given to Regional Planning Commissions under Section 713.21 of the Revised Code of the State of Ohio.

Such Resolution of Cooperation provides for the creation of a Regional Planning Commission composed of representatives of Seneca County, Ohio (“County”), the City of Tiffin, the City of Fostoria, and all cooperating municipalities and townships (collectively “Region”), which shall have the right to exercise the powers and duties of the Regional Planning Commission by virtue of the Resolution of Cooperation and the statutes of the Revised Code of the State of Ohio.

I. NAME

The name of the commission to be created shall be the “Seneca Regional Planning Commission”, (“SRPC” or “Commission”).

II. MEMBERSHIP OF THE COMMISSION

The Seneca Regional Planning Commission shall have a membership consisting of:

- A. Three Representatives appointed by the **Regional Planning Commission of member** Township Trustees as follows:
 1. One representative from Loudon of Jackson Township appointed by the Jackson and Loudon Township Trustees with a first term ending December 31, 1995 and subsequent terms of three years.
 2. One representative from Hopewell, Clinton, or Eden Township appointed by the Hopewell, Clinton and Eden Township Trustees with a first term ending December 31, 1996 and subsequent terms of three years.
 3. One representative from Adams, Big Spring, Bloom, Liberty, Pleasant, Reed, Scipio, Seneca, Thompson, or Venice Township appointed by the Adams, Big Spring, Bloom, Liberty, Pleasant, Reed, Scipio, Seneca, Thompson, and Venice Township Trustees with a first term ending December 31, 1997 and subsequent terms of three years.
- B. One representative from the Villages of the Region appointed by the Village Mayors Association with a first term ending December 31, 1997 and subsequent terms of three years.
- C. Two representatives from the City of Tiffin appointed by the Mayor of the City of Tiffin with a first term ending December 31, 1996 and December 31, 1995 and subsequent terms of three years.
- D. One representative from the City of Fostoria appointed by the Mayor of the City of Fostoria with first term ending December 31, 1997 and subsequent terms of three years.
- E. Three County Commissioners

- F. Three Citizen Representatives appointed as follows:
 - 1. One representative appointed by the Cities of Tiffin and Fostoria with the first term ending December 31, 1995 and subsequent terms of three years.
 - 2. Two representatives from the County appointed by the balance of the commission with a first term ending December 31, 1996 and December 31, 1997 and subsequent terms of three years.

III. POWERS AND DUTIES OF THE COMMISSION

A. Powers

The Commission shall have the power to make studies, maps, plans, recommendations and reports concerning the physical, environmental, social, economic, governmental characteristics, functions, services, and other aspects of the Region or County respectively, or for areas outside the Region or County which affect the development and welfare of the Region or County respectively, as a whole or as more than one political unit within the Region or County.

B. Duties

The duties of the Commission may include:

- 1. Preparing the plans, including studies, maps, recommendations, and reports on:
 - a. Regional goals, objectives, opportunities, needs, standards, priorities, and policies to realize such goals and objectives;
 - b. Economic and social conditions;
 - c. The general pattern and intensity of the land use and open space;
 - d. The general land, water and air transportation systems, and utility and communication systems;
 - e. General locations and extent of public and private works, facilities, and services;
 - f. General locations and extent of areas for conservation and development of natural resources and the control of the environment; and
 - g. Long-range programming and financing of capital projects and facilities
- 2. Promoting understanding of and recommending administrative and regulatory measures to implement the plans of the Region.
- 3. Collecting, processing, and analyzing social and economic data, undertaking continuing studies of natural and human resources, coordinating such research with other governmental agencies, educational institutions, and private organizations.
- 4. Contracting with and providing planning assistance to other units of local governments, planning commissions, joint planning councils and private agencies or individuals; coordinating the planning with neighboring planning areas; cooperating with the state and federal governments in coordinating planning activities and programs in the Region.
- 5. Reviewing, evaluating, and making comments and recommendations on proposed and amended comprehensive land use, open space, transportation and public facilities plans, projects and implementing measures of local units of government; making recommendations to achieve compatibility in the Region.
- 6. Reviewing, evaluating and making comments and recommendations on the planning, programming, location, financing, and scheduling of public facility projects within the Region and affecting the development of the area.

7. Undertaking other studies, planning, programming, conducting experimental or demonstration projects found necessary in the development of plans for the Region or County, and coordinating work and exercising all other powers necessary and proper for discharging its duties.
8. The Regional Planning Commission shall have such other powers and duties as are provided by law, including, but not limited to, such powers and duties set forth in Section 713.21 and 713.23, Ohio Revised Code as now existing or hereafter amended.

IV. COMMISSION OFFICERS

A. Executive Officers

The Executive Officers of the Commission shall be its President, Vice President, and Secretary. The President, Vice President and Secretary shall be members of the Commission. The President, Vice President and Secretary shall be elected by the Commission at the annual meeting, scheduled for February, of the Commission each year. Additional nominations may be made by a petition signed by at least three (3) members of the Commission, provided that such petition is received by the Secretary at least ten (10) days prior to the annual meeting scheduled in February of the year in which the elections are held. The newly-elected officers shall take office beginning the next business day following the annual meeting where the elections were held.

V. DUTIES OF THE OFFICERS

A. President

The President shall preside over all meetings of the Commission and the Executive Committee. It shall be the President's duty to sign all written contracts and oversee all actions and obligations of the Commission. The President shall also make certain that all transactions of business are in accordance with the law and these Bylaws and Rules of Procedure. The President shall perform all duties incident to the office, and such other duties as may from time-to-time be required or requested by the Commission or the Executive Committee. The President will be responsible for overseeing the compiling/preparation of the agenda for all subsequent meetings.

B. Vice President

The Vice President shall perform all the duties of the President in case of his/her absence or disability, and such other duties as may from time-to-time be required or requested by the Commission or the Executive Committee. In case the Vice President and President are absent from or are unable to perform their duties, the Regional Planning Commission may appoint a President Pro-Tem.

C. Secretary

The Secretary shall supervise the keeping of minutes of all regular meetings of the Commission in writing or a video recording with index provided for that purpose, and shall perform such other duties as may be required or requested by the Commission. The Secretary shall have oversight of the publishing of the minutes of the Commission. Seneca Regional Planning Commission Administrative Staff will have the responsibility of publishing and disbursing minutes.

D. Other Officers

The Commission may appoint or elect such other officers as it shall deem necessary, who shall have the authority to perform such duties as from time-to-time may be assigned by the Commission or the Executive Committee.

E. Vacancy

If the Presidency of the Commission shall become vacant by reason of death, resignation, or disqualification, the Vice President will automatically accede to that position, and the Commission shall elect a successor to hold the office of Vice President for the unexpired term.

VI. EXECUTIVE COMMITTEE

The Executive Committee of the Commission shall consist of the President, Vice President, Secretary, at least one County commissioner, provided none hold the aforementioned office of President, Vice President or Secretary, and not less than two (2) members of the Commission who shall be elected from their number at its regular February meeting following the Election of Officers. Each member of the Executive Committee shall serve until the next regular February meeting and until his/her 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 of the President subject to the confirmation by the Commission, for the unexpired term. All the powers and duties of the Commission, except as otherwise provided in the statutes of Ohio or by the terms of this Resolution of Cooperation, shall be possessed and exercised by the Executive Committee, but always subject to review by the Commission at any regular bi-monthly meeting.

A. Standing Committees

The Commission shall consist of the following standing committees to be appointed by the Executive Committee:

1. Highway and Infrastructure Committee
2. Technical Advisory Committee
3. Bylaws & Governance Committee
4. Subdivision/Land-use/Zoning Committee
5. Community Development Committee
6. Revolving Loan Fund Committee
7. Budget Committee (Executive Committee will act as the Budget Committee)

B. Special and Ad Hoc Committees

C. Members of the Special & Ad Hoc Committees of the Commission may be appointed by the President with the approval of the Commission, and shall function under the same rules as Standing Committees. Committee Officers

For the purpose of conducting committee affairs, Chairman and Secretary shall be appointed from the membership of the committee by the President, based on a recommendation received from the Commission membership. Standing Committees shall function in accordance with these Bylaws and any other rules of procedure adopted by the Commission. All Committees shall report their actions to the Commission.

D. Committee Meetings

Committee meetings shall be called by the Chairman when they deem such meeting is necessary in order to perform any duty that may be assigned to them by the Commission.

VII. MEETINGS

A. Commission Meetings

The Commission shall hold a regular meeting during each even numbered month of the year unless otherwise directed by a vote of the Commission. Said meetings shall be held on the 1st Wednesday of each even numbered month at the Offices of the Commission, unless otherwise directed by a vote of the Commission. There shall be an annual meeting in February of the Commission for the installation of officers and executive committee and for organizational purposes.

Each Commission member shall reserve the 1st Wednesday of each even numbered month for the purpose of Committee meetings or regular meetings of the Commission. Special meetings may be called by the President or any three members for any purpose of the Commission. The Commission Staff shall mail or deliver written notice or communicate through email of each regular or special meeting to each member of the Commission not less than five (5) working days prior to each meeting. Notice of Special meetings shall state the purpose for which such special meeting is called. If a Special meeting is called, the Commission shall comply with the laws of the State of Ohio including notice to the appropriate news media.

B. Meetings of the Executive Committee

The Executive Committee shall provide by its own rule for any regular or special meeting it deems 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. The Commission Staff shall serve notice of any meeting of the Executive Committee at least twenty-four (24) hours prior to said meeting.

C. Quorum

At any meeting of the Commission or its Executive Committee, a quorum shall consist of a simple majority of all of the members thereof.

D. Attendance at Commission Meetings Any appointed member of the Commission who is absent for two (2) consecutive meetings without just cause may be removed from membership by a vote of the Executive Committee, and said position shall be filled by a replacement named in the same manner as utilized for the original appointment. The Executive Committee shall, each January, review the attendance of all Commission members for the preceding year. A member may not miss more than three (3) meetings per year without just cause. Appointment of a proxy in (E) below does not constitute an "excused" absence.

E. Proxy Vote

Any appointed member of the Commission who cannot attend a meeting may appoint an individual as proxy to attend in their place. All rights and privileges afforded to the appointed member including the right to vote on any issues coming before the commission will be equally afforded to the proxy. Such proxy must be certified in writing by the appointed member of the SRPC and shall be a resident or an employee within the area represented by the appointed member. Proxy vote may not be utilized by an appointed member for more than two (2) meetings in a calendar year. The appointed member of the Commission shall provide a proxy for up to two (2) meetings they do not attend.

- F. The business conducted by the Commission shall be conducted in accordance with the “public meetings” requirements of Sec. 121.22 of the Ohio Revised Code and shall be open to the public; and all records maintained in accordance with the public records provisions of O.R.C. Sec. 149.43. The President of the Commission shall vote only in the case of a tie.
- G. Votes on Variances to the Subdivision Regulations. Variances shall be voted on at meetings of the Commission. To grant a variance, a minimum of seven (7) Commission Members or their proxies must vote in favor. In the event of six votes in the affirmative to grant a variance, the President may cast the deciding vote.
- H. Members shall not abstain from a roll call vote without giving a reason, such as conflict of interest
- I. In the event that Seneca County or the City of Tiffin declares a state of emergency – The Executive Director shall have the full authority of the board for operations of the Commission. The Executive Director will communicate with the board in writing either by mail or email with the board on the decisions.
- J. The Commission, Executive Committee, and sub-committees may hold their meetings in one of the following formats to be determined by the Executive Director:
 - a) In Person
 - b) Tele-Conference
 - c) Video Conference

VIII. FINANCIAL PROVISIONS

A. Apportionment of Cost for Commission membership

1. The cost of maintaining the Commission shall be charged to each cooperating public agency at the rate of \$0.75 per capita based on census data, from each municipality, village, township and matched in an equal amount by the County through the County Commissioners’ office. The cost per capita will be evaluated every three years for determination of membership cost apportionment.
2. The cost apportionment will not be pro-rated for partial year memberships. The cost apportionment will be charged at the full amount due no matter time of joining or withdrawing from the Commission.

B. Appropriation

The County Commissioners shall, at their regular December meeting each year, make appropriation for the Commission in its expenses for the next fiscal year, which appropriation 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 cooperating public agencies or from other sources.

C. Fees

1. Public agency members shall not be charged for the Commission’s services/transactions. Residents of public agencies that are not members of the Commission and non-member public agencies shall be charged fees for services/transactions provided by the Commission. Fees charged to these individuals and non-member public agencies by the Commission shall be as follows for typical services/transactions:

Typical Fee Schedule:

1. Lot Split Application - \$150.00 Per application
2. Zoning Amendment Review – Starting fee of \$150.00 per parcel
3. Grant Application Fee – 5% of the grant request amount prior to award, billable upon submission of application. If the grant is awarded an additional 5% of the grant award amount not to exceed 10% of the grant award

Fees charged to residents of public agencies that are not members of the Commission and non-member public agencies for non-typical services/transactions shall be charged the hourly rate of \$175.00 per hour, billed at the minimum of \$43.75 per quarter hour. Non-typical services/transactions are those that are not typically conducted by the Commission or those services/transactions that cannot be completed in the time it typically takes the Commission to complete a typical service/transaction. Determination as to whether a service/transaction is non-typical shall be at the sole discretion of the Commission. At no time will accumulated hourly rates for service/transaction fees that are charged to residents of public agencies that are not members of the Commission and non-member public agencies by the Commission be a waiver to the assessment fee.

2. The 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.

D. Fiscal Year

1. The Fiscal Year for Seneca Regional Planning will be January 1 through December 31.

E. Expenditures and Disbursements

1. Method. All disbursements of the Commission shall be by voucher drawn on the Seneca County Auditor.
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.
3. The Executive Director has the authority to request of the Auditor to make adjustments to the expense account up to and including \$5,000.00 without requiring a resolution from the Board or Executive Committee. Any amount totaling more than \$5,000.00 will require an approved resolution from either the Seneca Regional Planning Commission Board or the Executive Committee.

IX. EMPLOYEES

The Commission may authorize the employment of a professional director, and such planners, draftsmen, secretaries, and others as may be necessary and may fix their compensation. Such employees shall be nominated and approved by a majority of the Commission.

X. WITHDRAWAL

Any participant may withdraw their cooperation hereunder at any time by a Resolution to do so, and delivery of a certified copy thereof to the Secretary of the Commission three (3) calendar months prior to the actual date of withdrawal, and said withdrawal date shall be effective on the first day of the fourth month after receipt of said notice to withdrawal. Such notices of withdrawal shall not relieve the withdrawing party of its obligation to contribute its share of the cost for the full twelve (12) month period prior to the actual calendar year of the withdrawal date.

XI. AMENDMENT PROCEDURES

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

- A. The Secretary shall within ten (10) days prior to the regular meeting of the Commission, forward to each member of the Commission, a copy of the proposed amendment.
- B. Such proposed amendment shall then be presented at the next regular meeting of the Commission. Such amendment shall be deemed adopted upon receiving the affirmative vote of a majority of the members of the Commission present at such meeting, if a quorum is present as provided in Section VII C, of these Bylaws and Rules of Procedure.

XII. STATUTES AND SEVERANCE CLAUSE

- A. All applicable statues of the State of Ohio are included in these Bylaws and Rules of Procedure and made a part hereof. (i.e. Sunshine Law.)
- B. 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.