

# 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**
- 2. FEBRUARY 7, 1996**
- 3. JANUARY 7, 1998**
- 4. DECEMBER 1, 1999**
- 5. MARCH 1, 2000**
- 6. NOVEMBER 9, 2000**
- 7. NOVEMBER 6, 2002**
- 8. JULY 7, 2004**
- 9. NOVEMBER 2, 2005**
- 10. DECEMBER 7, 2005**
- 11. MAY 5, 2010**
- 12. JUNE 6, 2012**
- 13. OCTOBER 10, 2012**
- 14. FEBRUARY 26, 2015**
- 15. OCTOBER 5, 2016**
- 16. OCTOBER 5, 2017**
- 17. JUNE 8, 2020**
- 18. AUGUST 5, 2020**
- 19. DECEMBER 6, 2023**

## PREAMBLE

By virtue of the adoption of a Resolutions 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.

The Seneca Regional Planning Commission was re-established on February 21, 1995 and is 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 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”, aka “SRPC” or “Commission”.

### II. MEMBERSHIP OF SENECA REGIONAL PLANNING COMMISSION BOARD

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

- A. Three Representatives appointed by the **Commission of member** Townships in good standing follows:
  1. One representative from Loudon or 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 Commission with an effort of the Commission to rotate Representatives of member Villages with a first term ending December 31, 2024 and subsequent terms of three years.
- C. Two representatives for the City of Tiffin, including the Mayor or their appointee or designee and the President of Council, or their appointee or designee, with a first term ending December 31, 1996 and December 31, 1995 and subsequent terms of three years.

- D. Two representatives for the City of Fostoria, including Mayor or their appointee or designee and one Representative appointed by the Mayor, with first term ending December 31, 1997 and December 31, 1996 and subsequent terms of three years.
- E. Three County Commissioners
- F. Two Citizen Representatives appointed as follows:  
Two representatives from the County appointed by the balance of the SRPC Board with a first term ending December 31, 1996 and December 31, 1997 and subsequent terms of three years.
- G. Member in Good Standing means any jurisdiction that has fulfilled the requirements of membership and who has not voluntarily withdrawn from the SRPC, good standing also requires the timely payment of annual assessment.
- H. If an appointed board member is unable or unwilling to fulfill their term with the SRPC Board, said member shall be replaced by the entity that appointed said member for the fulfillment of the unexpired term of the member who was unable or unwilling to complete their term of office.

### III. POWERS AND DUTIES OF SENECA REGIONAL PLANNING COMMISSION

SRPC 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.

A. Powers:

SRPC shall have the power to conduct studies, create maps, plans, reports, and provide recommendations on the physical, environmental, social, economic, and governmental characteristics, functions, services, and other aspects that affect the development and welfare of the Region or County, both within and outside its boundaries.

B. Duties:

The duties of SRPC 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. Provide support and collaboration to the directors of economic development corporations in Seneca County, Ohio. Provide assistance and support in carrying out all of the functions and duties of a director of economic development under division (B) of section 307.07 of the Revised Code pursuant to any agreement with a county under division (A)(1) of that section.

**C. Purchasing:**

A regional planning commission may perform, by contract, the purchasing of supplies, services, materials, and equipment on behalf of any political subdivision participating in the commission or on behalf of any other political subdivision. For purposes of this division, the purchase of services includes, among other things, the purchase of insurance coverage for a political subdivision and its officials and employees against the legal liability of the insured in a civil action for injury, death, or loss to persons or property caused by or claimed to be caused by the negligence of the political subdivision or its officials or employees. Any political subdivision desiring to participate in a purchase contract with a regional planning commission shall file with the commission a certified copy of an ordinance or resolution of the political subdivision. The ordinance or resolution shall request that the political subdivision be authorized to participate in such a contract and shall agree that the political subdivision will be bound by such terms and conditions as the commission prescribes and that it will directly pay the vendor under each purchase contract. The commission may charge a political subdivision a reasonable

fee to cover the administrative costs the commission incurs as a result of the political subdivision's participation in the purchase contract. Purchases made by a political subdivision participating with a regional planning commission under this division are exempt from any competitive bidding required by law for the purchase of supplies, services, materials, and equipment. No political subdivision shall make any purchase under this division when bids have been received for such purchase by the political subdivision, unless such purchase can be made upon the same terms, conditions, and specifications at a lower price under this division.

A regional planning commission, when entering into a purchase contract on behalf of a political subdivision as provided in this division, shall follow the competitive bidding procedures specified in sections [307.86](#) to [307.92](#) of the Revised Code.

## IV. SENECA REGIONAL PLANNING 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 SRPC Board at the annual meeting, scheduled for February, of each year. Additional nominations may be made by a petition signed by at least three (3) members of the SRPC Board, 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 Nominating Committee shall conduct outreach for nominations annually, during the months of November, December and January. It is tasked with presenting formal nominations for the three officers and two members of the Executive Committee. These nominations will be submitted to the Executive Director for inclusion in the annual meeting agenda. 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 SRPC Board and the Executive Committee. It shall be the President's duty to sign all written contracts and oversee all actions and obligations of SRPC. 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 SRPC Board 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 SRPC Board 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-Temp. The Vice-President shall succeed the President at the time the President's term expires, for a one (1) year term.

C. Secretary

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

D. Other Officers

The SRPC Board 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 SRPC Board or the Executive Committee.

E. Vacancy

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

## VI. EXECUTIVE COMMITTEE

The Executive Committee of SRPC 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 SRPC Board 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 SRPC Board, for the unexpired term. All the powers and duties of the SRPC Board, except as otherwise provided in the statutes of Ohio or by the terms of these by-laws, shall be possessed and exercised by the Executive Committee, but always subject to review by the SRPC Board at any regular bi-monthly meeting.

## VII. Committees

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

1. **Highway and Infrastructure Committee**

The Committee brings together transportation stakeholders in the region, and advocates for the movement of goods, people, and services in our region. The Committee works together to determine the priorities for the county, develops and maintains the Transportation Improvement Priority Plan (TIPP).

2. **Technical Advisory Committee**

The TAC evaluates the technical, operational, and implementation aspects of studies, grant proposals, and certain construction projects and offers recommendations to the region's policy makers.

3. **Bylaws & Governance Committee**

The Bylaws & Governance Committee's responsibilities are to oversee the function of the board, review state and federal regulatory requirements, assist with making and editing policy and procedural recommendations to the board for more efficient governance.

4. **Subdivision/Land-use/Zoning Committee**

The Subdivision/Land-use/Zoning Committee is responsible for the review and update of the Subdivision Regulations, for reviewing all major subdivisions and making recommendations to the Seneca Regional Planning Commission and assisting with any zoning amendments or questions.

5. **Community Development Committee**

The Community Development Committee monitors local conditions, identifies problems and solutions. The Committee surveys public opinion. The Committee's charge is quality of life issues such as farmland preservation, crime, traffic safety, economic development, housing, historic preservation, and other matters of community concern.

6. **Revolving Loan Fund Committee**

The Revolving Loan Fund Committee was established to carry out economic development activities and community development activities utilizing the CDBG Revolving Loan Funds. The Committee has oversight of the RLF guidelines for the county and makes recommendations to the County Board of Commissioners for funding projects utilizing the funds after an application and review process.

7. **Budget Committee** (Executive Committee will act as the Budget Committee)

B. Special and Ad Hoc Committees:

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

C. For the purpose of conducting committee affairs, a Chairman and Secretary shall be appointed from the membership of the committee by the SRPC Board President, the Secretary position may be held by the staff of SRPC, based on a recommendation received from SRPC membership.

D. Committees shall function in accordance with these Bylaws and any other rules of procedure adopted by SRPC. All Committees shall report their actions to the SRPC Board.

E. Committee meetings shall be called by the Chairman of said committee or the Executive Director of SRPC when they deem such meeting is necessary in order to perform any duty that may be assigned to them by the SRPC Board.

F. All records for committees are stored in the SRPC Office.

## VIII. MEETINGS

**A. Seneca Regional Planning Commission Meetings:**

The SRPC Board shall hold a regular meeting during each even numbered month of the year unless otherwise directed by a vote of the SRPC Board. Said meetings shall be held on the 1<sup>st</sup> Wednesday of each even numbered month at the Offices of Seneca Regional Planning Commission unless other arrangements are made by the Executive Director or the Executive Committee to hold the meeting at another location in the county. Each SRPC Board member shall reserve the 1<sup>st</sup> Wednesday of each even numbered month for the purpose of regular meetings of the SRPC Board.

**Annual Meeting:**

There shall be an annual meeting in February of the SRPC Board for the installation of officers and executive committee and for organizational purposes. If weather, safety, or health conditions necessitate, the Annual Meeting may be postponed beyond February. In such cases, the terms of the previous year's members, Officers, and Committees will serve until a safe and health-conscious meeting can be held.

**Special Meetings:**

Special meetings may be called by the President or any three members for any purpose of the SRPC Board. The SRPC employees shall mail or deliver written notice or communicate through email of each regular or special meetings to each member of the SRPC Board 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 SRPC Board and SRPC employees 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.

Commission – simple majority is 7

Executive Committee – simple majority is 3

**D. Proxy Vote:**

Any appointed member of the SRPC Board 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 SRPC Board will be equally afforded to the proxy. Such a 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.

- E. The business conducted by the SRPC Board 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.
- F. **Notes on Variances to the Subdivision Regulations.** Variances shall be voted on, taking into consideration the recommendation of the Subdivision/Land-use/Zoning Committee, at meetings of the Commission. To grant a variance, a minimum of seven (7) SRPC Board 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.
- G. Members shall not abstain from a roll call vote without giving a reason, such as conflict of interest.
- H. In the event that any jurisdiction of Seneca County declares a state of emergency – The Executive Director shall have the full authority of the board for operations of Seneca Regional Planning Commission. The Executive Director will communicate with the board in writing either by mail or email with the board on the decisions.
- I. The SRPC Board, Executive Committee, and sub-committees may hold their meetings in one of the following formats to be determined by the Executive Director, as allowable by statute or Ohio Revised Code:
  - a) In Person
  - b) Tele-Conference
  - c) Video Conference

## IX. FINANCIAL PROVISIONS

- A. Apportionment of Cost for SRPC membership
  - 1. The cost of maintaining SRPC 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 part-year memberships. The cost apportionment will be charged at the full amount due no matter time of joining or withdrawing from SRPC.
- B. Appropriation  
The County Commissioners shall, at their regular December meeting each year, make appropriation for the Seneca Regional Planning 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 SRPC’ 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 Non-Member Processing/Administration Fee- \$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 SRPC 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 SRPC or those services/transactions that cannot be completed in the time it typically takes SRPC staff to complete a typical service/transaction. Determination as to whether a service/transaction is non-typical shall be at the sole discretion of SRPC. At no time will accumulated hourly rates for service/transaction fees that are charged to residents of public agencies that are not members of SRPC and non-member public agencies by SRPC be a waiver to the assessment fee.

2. SRPC may accept, receive and expend funds, grants and services from the Federal Government or its agencies, from departments, agencies and instrumentality's 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 Commission will be January 1 through December 31.

E. Expenditures and Disbursements

1. Method. All disbursements of SRPC 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 Commission.
3. The Executive Director has the authority to request the Auditor to make adjustments between the expense account(s) up to and including \$1,000.00 without requiring a resolution from the Board or Executive Committee. Any amount totaling more than \$1,000.00 will require an approved resolution from either the Seneca Regional Planning Commission Board or the Executive Committee.

## X. EMPLOYEES

The SRPC Board 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 SRPC Board.

## **XI. 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 Seneca Regional Planning 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.

## **XII. AMENDMENT PROCEDURES**

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

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

## **XIII. STATUTES AND SEVERANCE CLAUSE**

- A. All applicable statutes 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 the Reestablishment of Seneca Regional Planning Commission or Bylaws and Rules of Procedure shall not invalidate any other portion thereof.