

By-Laws of the Lincoln County Planning Commission

Adopted on October 9, 2014

Article 1 – Name

These are the By-Laws of the Lincoln County Planning Committee, hereinafter referred to as LCPC, reporting to the Lincoln County Commission.

Article 2 – Objectives and Purpose

The LCPC is organized in accordance with Section 14 (12), Chapter 8 of the West Virginia Code.

Article 3 – The Advisory Committee

Section 1

- A. The LCPC shall consist of 7 members. One (1) member of the County Commission, two (2) members from each of the three county districts. Terms will be staggered within each district. The initial terms of member from each district will be for one member to serve a 2 year term and the other a 3 year term. In so far, representation of each LCPC needs to show representation from business, farming, households and labor. All members must be residents of their district for at least one (1) year. The County Commission at the request of the LCPC may appoint up to three additional members to serve as alternate members of the LCPC. Alternate members must meet the same eligibility requirements as set in Article 3, Section 1 Paragraph A. The term for an alternate member is three years. The LCPC may appoint alternate members on a staggered term schedule. An alternate member may serve on the LCPC when one of the regular members is unable to serve.

Section 2

Any member of the LCPC who misses 3 consecutive or 5 out of 12 regular meeting within a given year and who has not had those absences excused by the LCPC shall be considered to have resigned. The President of LCPC shall notify the County Commission of a member's resignation and the manner of the member's resignation. All absences, excused and unexcused, shall be recorded in the minutes of each meeting.

Section 3

The initial members of the LCPC shall serve respectively for terms of 1, 2 and 3 year terms. Thereafter, members shall be selected for three years each. Vacancies shall be filled by the County Commission at the request of the LCPC for the unexpired terms only.

Members of the LCPC shall serve without compensation but may be reimbursed for reasonable and necessary expenses actually incurred in the performance of their official duties with prior approval of the County Commission.

Section 4

Any member of the LCPC may resign or the membership of any member of the LCPC may be declared terminated by the County Commission as provided in Section 2 and Article 8. Should any member of the LCPC resign, the Secretary shall immediately notify the President and submit nominations from the LCPC to the County Commission of a qualified person to fill the vacancy.

Article 4 – Meeting of Members

Section 1

The meetings of the LCPC shall be held as established by the LCPC. If the regular meeting day shall fall on a legal holiday the meeting shall be held on the same weekday of the following week. Special meetings may be called at any time by the President or any 4 members but only on written request to the Secretary. The Secretary shall send written notice of the special meeting to all members of the LCPC this notice is to arrive at least 2 days before the date of the special meeting. No written notice is necessary if the special meeting is announced at a regular meeting.

Section 2

At any meeting of the LCPC a majority of the members with at least one member from each district shall constitute a quorum. If a quorum is not present, those present may adjourn the meeting to a later date. Alternate members may be used to constitute a quorum when regular members are unable to serve. Additionally, the President shall establish a quorum when both members of the the same district are absent.

A motion must be adopted by a majority of the members in attendance. Alternate members shall be considered a part of the majority when regular members are unable to serve.

Section 3

Minutes of the previous meeting shall be made available to members of the LCPC prior to or at the next regular meeting date. Reading, review and approval of these minutes shall be the first order of business of each meeting.

Section 4

All regular and special meetings of the LCPC will be in accordance to the West Virginia Open Meetings Law.

Executive Sessions are meetings or parts of meetings closed to the public. Executive Sessions may be held for such purposes as outlines by West Virginia Code, Chapter 6 Article 9A Section 1

Section 5

Order of Business: The Order of business at regular meetings shall be as follows:

- (a) Call to Order and Roll Call
- (b) Approval of Minutes of previous meetings
- (c) Public Comments
- (d) Unfinished Business
- (e) New Business
- (f) Committee Reports/Concerns
- (g) Adjournment
- (h)

Note: Public comments/questions will be limited to 5 minutes per speaker not to exceed 30 minutes total for the session

Article 5 – Officers

Section 1

The Officers of LCPC shall be President, Vice President and Secretary/Treasurer

Section 2

The Officers shall be elected by the LCPC each year at the first regular meeting held in September. The Officers so elected shall serve until the next annual election in September. Any vacancy occurring among the officers in the meantime shall be filled by the LCPC for the remaining term.

Article 6 – Duties of Officers

Section 1 – President

The President shall preside at all meetings of the LCPC and be responsible for the preparation and transmission of all reports, plans and recommendations to the County Commission. Additionally, the President shall be regular voting member only in cases of a tie vote.

Section 2 – Vice President

In absence of the President, the Vice President shall preside and perform the duties of the President.

Section 3 – Secretary/Treasurer

The Secretary/Treasurer shall assist the President in the preparation of the agenda for the LCPC meetings, shall notify members of special meetings, shall prepare and distribute minutes of LCPC meetings, shall keep accurate and complete records of all the LCPC Proceedings and finances and assume responsibility for the custody and preservation of all papers and documents of the LCPC.

Articles 7 – Committees

Special Subcommittees may be authorized by the LCPC as needed.

Article 8 – Ethics

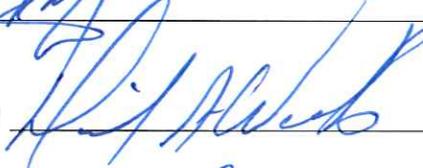
The LCPC will be subject to and follow the mandates of the Governmental Ethics Act, Chapter 6B Articles 1 and 2, which compromise the West Virginia Governmental Ethics Act.

Article 9 – Amendments to the By-Laws

These By-Laws may only be altered, changed, amended or added to by the LCPC. Any suggested changes or revisions to these By-Laws should be submitted in writing to the LCPC.

Adopted: November 13, _____ 2014

President:  _____

Vice President:  _____

Secretary:  _____

District 1: Steve C. Bally

District 1: [Signature]

District 2: [Signature]

District 2: Rick Helton

District 3: [Signature]

District 3: [Signature]