

## BY-LAWS

### MADISON COUNTY PLANNING COMMISSION

Adopted: March 18, 1968

Amended: January 1, 1977  
February 21, 2007  
March 17, 2010  
January 18, 2012  
April 17, 2013

#### ARTICLE 1 – OBJECTIVES

- 1-1. This Commission, established by the Madison County Board of Supervisors on the twelfth day of April, 1966, has adopted the subsequent Articles in order to facilitate its powers and duties in accordance with the provisions of Title 15.2, Chapter 22, Article 2, Code of Virginia.
- 1-2 The official title of this Commission shall be the “Madison County Planning Commission.”

#### ARTICLE 2 – MEMBERS

- 2-1 The Madison County Planning Commission shall consist of 12 or more members appointed by the Board of Supervisors, one of whom may be a Supervisor, and all of whom shall be citizens of Madison County.
- 2-2 The members shall be appointed for staggered terms of four (4) years, not to exceed two (2) successive terms. Their successors shall be appointed for terms of four (4) years. Any vacancy in membership shall be filled by appointment by the Board of Supervisors, and such appointment in the case of an appointed member shall be for an unexpired term. A member may be removed by the Board of Supervisors for malfeasance in office. The Board may provide for the payment of expenses and a reasonable compensation for members of the Commission who are not county employees. The supervisor member shall serve at the pleasure of the Board.

- 2-3 A member may be removed from office by the Board of Supervisors without limitation in the event that the member is absent from any three (3) consecutive meetings of the Commission or is absent from any four (4) meetings of the Commission within any twelve (12) month period.
- 2-4 All requests for funding for special meetings, certification classes, continuing education courses or miscellaneous special expenditures must be presented to the Planning Commission for consideration. A request may be granted if budgetary funds are available and a simple majority of the Planning Commission members' present vote to allocate monies requested.

### ARTICLE 3 – OFFICERS AND THEIR SELECTION

- 3-1 The officers of this Commission shall be a chairman and a vice-chairman elected annually from the membership of the Commission, whose duties are outlined in Article 4. At any meeting where both the chairman and vice-chairman are not present, the members shall select from their number a chairman pro tem to preside over such meeting and certify the minutes of such meeting. The Commission shall also select a secretary who need not be a member of the Commission.
- 3-2 A nominating committee for officers shall be appointed by the chairman at the regular meeting in December, and shall report its nominations to the Commission at the workshop meeting in January. Further nominations may be made from the floor at this time. Election of officers shall follow immediately thereafter.
- 3-3 A candidate receiving a majority vote of the members present shall be declared elected and 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 4 – DUTIES OF OFFICERS

- 4-1 The chairman shall be a member of the Commission and shall:
- 4-1-1 Preside at all meetings.
  - 4-1-2 Appoint committees.
  - 4-1-3 Rule on all procedural questions subject to a reversal by a

- two-thirds (2/3) majority vote of the members present.
- 4-1-4 Be informed immediately of any official communications and report same and correspondence he has received and sent at the next regular meeting. Aforesaid communications and correspondence shall be made a part of the Commission's permanent files.
  - 4-1-5 Sign all official papers involving the authority of the Commission.
  - 4-1-6 Certify all minutes.
  - 4-1-7 Carry out other duties as assigned by the Commission.
- 4-2 The vice-chairman shall be a 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 shall be a citizen of Madison County and shall:
- 4-3-1 Keep a written and tape recorded record of all business transacted by the Commission at its meetings.
  - 4-3-2 \*Notify all members of all meetings. A copy of the published agenda for all regular meetings shall be sent to all members.
  - 4-3-3 Keep a file of all official records and reports of the Commission, certifying same.
  - 4-3-4 Attend to the correspondence of the Commission, as it designates, necessary for the execution of its duties and functions, utilizing telephone and telegraph when necessary.
  - 4-3-5 Maintain a set of minutes and related public records as hereinafter prescribed.
  - 4-3-6 \*Serve notice of all special meetings and public hearings.
  - 4-3-7 \*Prepare and be responsible for the publishing of advertisements relating to public hearings.
  - 4-3-8 Maintain the roll, and make quarterly reports to the Board of Supervisors of each member's attendance and compensation due.
- \* Notes duties of the secretary which are carried out by the Zoning Office.

## ARTICLE 5 – COMMITTEES

- 5-1 Special Committees may be appointed by the chairman.

- 5-1-1 Reports by Committees of the Commission shall be submitted in written form when necessary.
- 5-1-2 A minimum of three Commission members must serve on every committee. Committees may have advisory members that are not members of the Planning Commission.
- 5-1-3 The Chair of all committees must be a member of the Planning Commission.
- 5-1-4 Only Planning Commission members have the authority to vote on issues for recommendations to the full Planning Commission.

## ARTICLE 6 – MEETINGS

- 6-1 Meetings of the Commission shall be held on the first and third Wednesdays of each month. When a regularly scheduled meeting falls on a legal holiday, the meeting shall be held on the following business day. A regular meeting which may be cancelled by the Chairman, or the Vice-Chairman if the Chairman is unable to act, upon a finding that weather or other conditions hazardous for the members or the public to attend the regular meeting, may be held on the next business day on which County offices are open.
  - 6-1-1 All meetings will begin at 7:00 P. M. and close at 10 P. M. unless otherwise extended.
  - 6-1-2 Regular meetings will be held on the first Wednesday of each month, with workshop meetings being held on the third Wednesday of each month. The published agenda shall be heard only at the regular meeting unless continued by majority vote of the members present.
- 6-2 Special meetings shall be called at the request of the chairman or at the written request of two (2) members of the Commission, such request being made to the secretary. Notice of all special meetings shall be in accordance with the requirements of the Virginia Freedom of Information Act.
- 6-3 All meetings, hearings, records and accounts shall be open to the public, except as permitted by the Virginia Freedom of Information Act.
- 6-4 A majority of the membership of the Commission shall constitute a quorum, and the number of votes necessary to transact business shall be a majority of the quorum present and voting. Voting may be by roll call, in which case a record shall be kept as a part of the minutes.

- 6-5 Each person speaking before the hearing shall be asked to state name and address, and a record shall be kept.

## ARTICLE 7 – 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 Determination of a quorum.
  - 7-1-4 Reading of the minutes.
  - 7-1-5 Report of the chairman.
  - 7-1-6 Report of the secretary.
  - 7-1-7 Report of special committees.
  - 7-1-8 Unfinished business.
  - 7-1-9 New business. Items not appearing on the published agenda must have the unanimous approval of all members present.
  - 7-1-10 Adjournment.
- 7-2 Motions shall be restated by the chairman or secretary before a vote is taken. The names of persons making and seconding motions shall be recorded as well as the vote.
- 7-3 Parliamentary procedure in Commission meetings shall be governed by Robert's Rules of Order, current edition.
- 7-4 The Commission shall maintain a set of minutes and tape recordings of all meetings and these shall become a public record.
- 7-4-1 The secretary shall prepare a set of minutes for all regular, adjourned, workshop, and special meetings; as well as committee meetings when requested.
  - 7-4-2 All minutes must be signed by the secretary and certified by the Chairman, which shall become the official record.

## ARTICLE 8 – HEARINGS

- 8-1 In addition to those required by law, the Commission may, at its discretion, hold public hearings when it decided that such hearings will be in the public interest.

- 8-2 Notice of such hearings shall be published in accordance with Title 15.2, 1950 Code of Virginia, as amended.
- 8-3 The cases before the Commission or the purpose of the hearing shall be summarized by the chairman or other designated member of the Commission, and parties in interest shall have the privilege of the floor.
- 8-4 Each person speaking before the hearing shall be asked to state name and address, and a record shall be kept.

#### ARTICLE 9 – AMENDMENTS

- 9-1 These rules may be changed by a recorded two-thirds (2/3) vote of the entire membership if notice of such change is mailed at least five (5) days before the meeting. However, should notice of proposed rule changes be mailed to each member at least fifteen (15) days before said meeting, the rules may be changed by two-thirds (2/3) vote of those present, providing a quorum is in attendance.
- 9-2 The Commission may temporarily suspend any of these rules by a unanimous vote of the members present, provided a quorum is in attendance.