

MATHEWS COUNTY PLANNING COMMISSION

BY-LAWS

ARTICLE I - AUTHORIZATION

- 1.1 This Commission, established in conformance with the resolution adopted by the Board of Supervisors of Mathews County, Virginia, dated September 30, 1964, has adopted the following Articles in order to facilitate its powers and duties in accordance with the provision of Chapter XI, Title 15.1-437, Article 3, Code of Virginia, 1950, as amended. The official title of this Commission shall be the "Mathews County Planning Commission."

ARTICLE II - MEMBERS

- 2.1 The Planning Commission shall consist of seven (7) voting members, all of whom shall be appointed by the Board of Supervisors of Mathews. The members shall be citizens, freeholders, and residents of Mathews County. One ex-officio member of the Commission may be a member of the Board of Supervisors, and one ex-officio member may be a member of the administrative branch of government of the county, in addition, one ex-officio member may be appointed from the student body of Mathews County, however ex-officio members do not vote. The term of each of these two members shall be coexistent with the terms of office to which he has been elected or appointed, unless the Board of Supervisors, at the first regular meeting of each year, appoints others to serve as their representatives.
- 2.2 Any vacancy in membership shall be filled by appointment by the Board of Supervisors. Any appointed member may be removed by the Board of Supervisors for malfeasance in office.

ARTICLE III - OFFICERS AND THEIR SELECTION

- 3.1 The officers of the Planning Commission shall consist of a chairperson and vice chairperson. The Secretary role shall be filled by Mathews County staff.
- 3.2 A nominating committee, consisting of two or more members, shall be appointed by the chairperson in November of each year to present a slate of officers for consideration by the Planning Commission at its December meeting. Also,

nominations may be made from the floor at the regular December meeting each year. Election of officers shall follow immediately.

- 3.3 A candidate receiving a majority vote shall be declared elected. The elected candidate shall take office beginning January 1 and serve for one (1) year or until a successor shall take office.
- 3.4 Should the Chair vacate office prior to completing his/her term, the Vice-Chair shall assume the office and serve the remainder of the term. A new Vice-Chair shall then be elected at the next regular meeting to fill the remainder of the term.

ARTICLE IV - DUTIES OF OFFICERS

- 4.1 The chairperson shall be a member of the Commission and shall:
 - 4.1.1 Preside at all meetings.
 - 4.1.2 Appoint committees, special and/or standing.
 - 4.1.3 Rule on all procedural questions, but subject to a reversal by a five-sevenths (5/7) majority vote of the members present.
 - 4.1.4 Be informed immediately of any official communication and report same at the next regular meeting.
 - 4.1.5 Carry out other duties as assigned by the Commission.
- 4.2 The vice chairperson shall be a member of the Commission and shall act in the absence or inability of the chairperson to act.
- 4.3 The secretary, in consultation with staff, shall:
 - 4.3.1 Keep a written record of all business transacted by the Commission.
 - 4.3.2 Notify all members of all meetings.
 - 4.3.3 Keep a file of all official records and reports of the Commission.
 - 4.3.4 Certify all maps, records, and reports of the Commission.
 - 4.3.5 Give notice of all hearings and public meetings.

- 4.3.6 Attend to all correspondence of the Commission.
- 4.3.7 Keep a set of minutes.
- 4.3.8 Prepare and be responsible for the publishing of advertisements relating to public hearings.

ARTICLE V - DUTIES OF THE PLANNING COMMISSION

- 5.1 Exercise general supervision of, and make regulations for, the administration of its affairs.
- 5.2 Prescribe rules pertaining to its investigations and hearings.
- 5.3 Supervise its fiscal affairs and responsibilities under rules and regulations as prescribed by the governing body.
- 5.4 Keep a complete record of its proceedings and be responsible for the custody and preservation of its papers and documents.
- 5.5 Make recommendations to and prepare and present an annual report to the governing body concerning the operation of the Commission and the status of planning within its jurisdiction.
- 5.6 Prepare, publish, and distribute reports, ordinances, and other materials relating to its activities.
- 5.7 Prepare and submit an annual budget/**Capital Improvement Program recommendation** in the manner prescribed by the governing body of the County.
- 5.8 If deemed advisable, establish an advisory committee or committees.
- 5.9 Make recommendations to the Board of Supervisors and Board of Zoning Appeals on zoning and subdivision matters when empowered to do so.

ARTICLE VI - STANDING AND SPECIAL COMMITTEES

- 6.1 Standing committees may be appointed by the chairperson. Necessary committees shall be appointed within sixty (60) days after the chairperson takes office:

- 6.2 Standing committees shall be appointed for one (1) year. Vacancies shall be filled immediately by the chairperson.
- 6.3 Special committees shall be appointed by the chairperson for purposes and terms approved by the Commission.

ARTICLE VII - MEETINGS

- 7.1 Regular meetings of the Commission shall be held on the second Tuesday of each month or the Tuesday preceding the regular meeting of the Board of Supervisors if a conflict arises (effective January 1, 1997) at 7:00 p.m. When a meeting date falls on a legal holiday, the meeting shall be held on the day following unless otherwise designated by the Commission.
- 7.2 Special meetings shall be called at the request of the chairperson or at the request of a quorum of the membership.
- 7.3 All regular meetings, hearing, records, and accounts shall be open to the public, except authorized executive sessions under the Virginia Freedom of Information Act.
- 7.4 A majority of the members shall constitute a quorum, and no action shall be valid unless authorized by a majority vote of those present and voting. Voting may be by roll call, in which case a record shall be kept as part of the minutes.

ARTICLE VIII - ORDER OF BUSINESS

- 8.1 The general order of business for a regular meeting shall be:

Call to order by the chairperson.

Pledge of Allegiance.

Prayer

Roll Call/Determination of a quorum.

Approval of previous meeting minutes.

Opportunity for Citizen Comments and Questions regarding matters which do not

violate public hearing legal requirements (time limit for speakers: one opportunity of 3 minutes, speakers cannot assign time in whole or in part to other speakers.

Unfinished business.

New business.

Committee Reports

Planning Director's Report.

Notice of Variance and Appeal.

Planning Commission Requests/Directives.

Opportunity for Citizen Comments and Questions regarding matters which do not violate public hearing legal requirements (time limit for speakers: one opportunity of 3 minutes, speakers cannot assign time in whole or in part to other speakers.

Other Matters

Adjournment.

8.2 Motions shall be restated by the chairperson before a vote is taken. The names of persons making and seconding motions, shall be recorded.

8.3 Parliamentary procedure in Commission meetings shall be governed by the adopted rules of order, namely Roberts Rules of Order.

8.4 The Planning Commission shall keep a set of minutes of all meetings, and these minutes shall become a public record.

8.4.1 The secretary shall prepare a set of minutes for all regular, adjourned, and special meetings.

8.4.2 The secretary and chairperson shall sign all minutes.

ARTICLE IX - HEARINGS

9.1 In addition to those required by law, (including but not limited to ordinance adoption, ordinance amendment, comprehensive plan adoption), the Commission, at its discretion, may hold public special hearings when it decides that a hearing will be in the

public interest.

- 9.2 Notice of hearing under Section 9.1 shall be published in a newspaper of general circulation in the area at least ten (10) days before the time of public hearing.
- 9.3 The hearing matter before the Commission shall be summarized by the chairperson or a staff member delegated by the chairperson. Interested parties shall have the privilege of the floor. Records or statements shall be recorded or sworn to, as in a court of law, only after notice is given to the interested parties.

ARTICLE X - CORRESPONDENCE

- 10.1 It shall be the duty of the secretary to draft and sign all correspondence necessary for the execution of the duties and functions of the Planning Commission.
- 10.2 It shall be the duty of the secretary to communicate by telephone or telegraph when necessary to make communications that cannot be carried out as rapidly as required through direct correspondence.
- 10.3 All official papers and plans involving the authority of the Commission shall bear the signature of the chairperson or vice chairperson together with the certification signed by the secretary or acting secretary.

ARTICLE XI - AMENDMENTS

- 11.1 These rules may be changed by a recorded five-sevenths (5/7) vote of the entire membership after thirty (30) days prior notice.
- 11.2 These rules may be suspended by a recorded five-sevenths (5/7) vote of the entire membership.

Adopted: October 18, 1990

Revisions: October 11, 2022

December 16, 2022

April 9, 2024