



# CITY OF BELLBROOK

FOUNDED 1816

15 E Franklin St  
Bellbrook OH 45305  
Phone (937) 848-4666  
Fax (937) 848-5190

## BELLBROOK CITY COUNCIL AGENDA

September 14, 2015

### 7:00 pm—Regular Meeting

1. Call to Order
2. Pledge of Allegiance
3. Appoint Eileen Minamyler as Interim Clerk of Council
4. Roll Call
5. Formal Approval of the City Council Meeting Minutes of **August 17, 2015**
6. Mayor's Announcements / Special Guests
  - Bronne Wilson, Beautification Awards for 2015
  - Representative Rick Perales, Ohio's Final Budget

### 7. Ordinances

**Ordinance No. 2015-12** Approving an addendum to the solid waste and recyclable material collection and disposal contract with Rumpke of Ohio, Inc. (Schweller)

### 8. Resolutions

**Resolution No. 2015-CC** Authorizing the City Manager to prepare and submit an application to participate in the Ohio Public Works Commission State Capital Improvement and/or Local Transportation Improvement Programs and to execute contracts as required. (Greenwood)

**Resolution No. 2015-DD** Adopting the 2015 Greene County Natural Hazard Mitigation Plan. (Martin)

**Resolution No. 2015-EE** Confirming the Proposed Amendments to the Regional Planning and Coordinating Commission of Greene County Bylaws. (Seeger-Lawson)

### 9. City Manager's Report

### 10. Committee Reports

- A. Service

- B. Safety
- C. Finance/Audit
- D. Community Affairs

11. Old Business

12. New Business

- Motion to appoint Jami Kinion, Clerk of Council, effective September 15, 2015

13. Open Discussion

14. Adjourn

# RECORD OF PROCEEDINGS

Minutes of Bellbrook City Council Meeting

August 17, 2015

**PRESENT:** Mr. Nick Edwards  
Mr. Forrest Greenwood  
Mr. Jon Martin  
Mrs. Elaine Middlestetter  
Mrs. Dona Seger-Lawson  
Deputy Mayor Mike Schweller  
Mayor Bob Baird

This is a summary of the City Council meeting held on Monday, August 17, 2015. Mayor Baird called the meeting to order at 7:00 pm and the Clerk called the roll.

After polling members of City Council, as there were no corrections or additions to the **work session and regular meeting minutes of July 13, 2015**, Mayor Baird declared the minutes approved as written.

## **SPECIAL GUESTS**

Chief Doherty spoke about the Big Wheel Race held in Bellbrook. The Bellbrook Police Department competed against the Sugar creek Township Police Department. Officer Luke Terry designed and built the bike, and the Bellbrook Police Department took home the trophy.

Chief Doherty recognized Officer Jackie Jones, for receiving the 2015 Crisis Intervention Training Officer of the Year Award for Clark, Greene, and Madison Counties.

Chief Doherty recognized Detective Vetter and Sergeant Salyers for their outstanding work and assistance in helping locate a 14-year-old girl who went missing from Bellbrook. They worked closely with other agencies to help bring the young girl home safely. They were also recognized for the outstanding Identity Theft program they put on last month for the community.

Officer Tony Rubble was also recognized for the Active Shooter Program he presented to the community. Mr. Schweller added that attended program and also commended Officer Rubble on a great job giving the presentation.

## **PUBLIC HEARING OF ORDINANCES**

Mayor Baird opened the public hearing for Ordinance No. 2015-10 and 2015-11.

Mr. Edwards read **Ordinance No. 2015-10** amending appropriation Ordinance 2014-10 to adjust the City of Bellbrook appropriations to reflect additional costs in some line items and reduced costs in others.

# RECORD OF PROCEEDINGS

Minutes of Bellbrook City Council Meeting

August 17, 2015

These changes in appropriations are due to the purchase of road salt purchase, which will be deferred into next year, and the road repaving. Being no comments from Council or the public, Mayor Baird closed the public hearing and asked for a motion.

**Mr. Edwards made a motion to approve Ordinance No. 2015-10.** Mr. Greenwood seconded the motion. The Clerk called the roll: Mr. Edwards, yes; Mr. Greenwood, yes; Mr. Martin, yes; Mrs. Middlestetter, yes; Mrs. Seger-Lawson, yes; Mr. Schweller, yes; Mayor Baird, yes. The motion was carried 7-0.

Mr. Martin read **Ordinance No. 2015-11** amending Chapter 1042 “Water” of the Bellbrook Municipal Code.

This Ordinance amends the way domestic and irrigation accounts are billed; deletes language allowing rates to be increased by a motion of Council and also eliminates District A and B. All customers are charged the same rate no matter what district.

Being no comments from Council or the public, Mayor Baird closed the public hearing and asked for a motion.

**Mr. Martin made a motion to approve Ordinance No. 2015-11.** Mr. Schweller seconded the motion. The Clerk called the roll: Mr. Martin, yes; Mr. Schweller, yes; Mr. Edwards, yes; Mr. Greenwood, yes; Mrs. Middlestetter, yes; Mrs. Seger-Lawson, yes; Mayor Baird, yes. The motion was carried 7-0.

## **RESOLUTIONS**

Mrs. Seger-Lawson read **Resolution No. 2015-X** Directing the Greene County Auditor to enter the delinquent cost of weed and grass mowing on the tax duplicates for the properties attached hereto.

This Resolution is for unpaid mowing assessments to be included in next year’s property taxes. Every property gets ample notice to mow or be assessed the cost of the City mowing the property.

**Mrs. Seger-Lawson made a motion to adopt Resolution No. 2015-X.** Mrs. Middlestetter seconded the motion. The Clerk called the roll: Mrs. Seger-Lawson, yes; Mrs. Middlestetter, yes; Mr. Edwards, yes; Mr. Greenwood, yes; Mr. Martin, yes; Mr. Schweller, yes; Mayor Baird, yes. The motion was carried 7-0.

Mr. Greenwood read **Resolution No. 2015-Y** Directing the Greene County Auditor to enter the amount of unpaid water bills on the tax duplicate for the properties attached hereto.

**Mr. Greenwood made a motion to adopt Resolution No. 2015-Y.** Mr. Martin seconded the motion. The Clerk called the roll: Mr. Greenwood, yes; Mr. Martin, yes; Mr. Edwards, yes; Mrs. Middlestetter, yes; Mrs. Seger-Lawson, yes; Mr. Schweller, yes; Mayor Baird, yes. The motion was carried 7-0.

# RECORD OF PROCEEDINGS

Minutes of Bellbrook City Council Meeting

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Mr. Schweller read **Resolution No. 2015-Z** directing the Greene County Auditor to enter the delinquent cost of minor nuisance abatement on the tax duplicate for the properties listed in Exhibit A.

One assessment is for a unique nuisance abatement, which includes an in-ground pool that has been sitting for several years with no maintenance. The property owner will pay back the cost over a five year period that will be assessed to the property taxes. The other includes a tree limb that has fallen on a roof and was not removed by the property owner.

**Mr. Schweller made a motion to adopt Resolution No. 2015-Z.** Mrs. Seger-Lawson seconded the motion. The Clerk called the roll: Mrs. Middlestetter, yes; Mrs. Seger-Lawson, yes; Mr. Greenwood, yes; Mr. Edwards, yes; Mr. Martin, yes; Mr. Schweller, yes; Mayor Baird, yes. The motion was carried 7-0.

Mr. Edwards read **Resolution No. 2015-AA** Accepting the bid submitted by Waugh Excavating LLC for the storm water improvement project-Vemco/Firebird Drives and to authorize the City Manager to enter into a contract in connection therewith.

Mr. Schlagheck informed Council that only one bid was received and it is under the engineer's estimate, and their references have been checked. The project should be complete by the end of October.

**Mr. Edwards made a motion to adopt Resolution No. 2015-AA.** Mrs. Middlestetter seconded the motion. The Clerk called the roll: Mr. Edwards, yes; Mrs. Middlestetter, yes; Mr. Greenwood, yes; Mr. Martin, yes; Mrs. Seger-Lawson, yes; Mr. Schweller, yes; Mayor Baird, yes. The motion was carried 7-0.

Mr. Martin read **Resolution No. 2015-BB** Authorizing the City Manager to enter into a contract in the amount of \$61,300 with Metcon for the construction of a new retaining wall at Pioneer Cemetery and waiving competitive bidding.

Mr. Schlagheck said this new wall would replace the decaying wood wall that is there now. However, instead of removing the wood and causing any issues, a concrete wall will be built adjacent to the wood wall with filler placed in-between the two.

**Mr. Martin made a motion to adopt Resolution No. 2015-BB.** Mr. Edwards seconded the motion. The Clerk called the roll: Mr. Martin, yes; Mr. Edwards, yes; Mr. Greenwood, yes; Mrs. Middlestetter, yes; Mrs. Seger-Lawson, yes; Mr. Schweller, yes; Mayor Baird, yes. The motion was carried 7-0.

## **CITY MANAGER REPORT**

Mr. Schlagheck reported that the Arthritis Foundation is planning a 5K race for December 2015. The race would start at Five Seasons Country Club and go down Cloy and Possum Run Roads on Saturday, December 5<sup>th</sup> at 9:00 am. Council reviewed the route and has concerns that it will block an entire

# RECORD OF PROCEEDINGS

Minutes of Bellbrook City Council Meeting

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neighborhood for one to two hours. Mr. Schlagheck will share Council's concerns with those in charge of the race.

The water main on North Main Street is complete and operational and the only thing left to do is resurface the project area, which will be started next Monday weather permitting. All other streets to be resurfaced in the City will be done at the same time.

The Police Department has a few guns that haven't been confiscated over the past several years. In the past these guns have been destroyed. The company that we purchase ammunition from would purchase the guns for around \$400. Mr. Schlagheck asked Council if they would like to destroy the guns or sell them to the company. Mr. Martin said if the City could make some money he would like to see them sold to the dealer. Mr. Greenwood said he is concerned that we are only dealing with one vendor and wondered if they should be auctioned. Mr. Martin agreed we may get a little more money that way but does not think it would be more beneficial. Mrs. Seger-Lawson prefers to sell it to a dealer that we know. Mr. Schweller thinks that if it is an easy process the City should sell to this dealer otherwise just destroy them. Mr. Edwards would like to see them destroyed. Mr. Schlagheck will speak with the Chief to make sure they are getting the best value.

The Online Checkbook that is being offered by the State was demonstrated to the Mayor and Mr. Schlagheck. There is no cost to the city other than the administrative cost to get the data out there; the program the State offers with compiles it automatically. Mr. Schlagheck said what concerns him is the information being taken out of context. There is an additional layer to the program that is available for a fee of approximately \$3,000-\$4,000 a year. Council reiterated their previous discussion that they believe the City already makes the financial information available.

Mr. Schlagheck is looking at starting the review for the 2016 budget in October. Mr. Schlagheck asked if Council would like to meet with Department heads first and then have an overview of the budget or have an overview and then meet with Department heads. Mr. Schweller said he liked meeting with each Department head and then an overview.

The September 28<sup>th</sup> meeting will be cancelled, as Mr. Schlagheck will be at the City Managers Conference.

Many of the dead trees that were identified by the City to property owners have been taken care of. There are only about 10-15 property owners who have not responded. The City will look at these trees again in the spring.

The Clerk of Council, Carrie Smith, has taken a full time position. The City will advertise for the Clerk of Council position and staff will interview with council doing final interviews and making a decision.

# RECORD OF PROCEEDINGS

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## **COMMITTEE REPORTS**

**Service:** No report at this time.

**Safety:** Thanked the Police and Fire Departments for the great job they are doing.

**Finance/Audit:** No report.

**Community Affairs:** Lions Club festival

## **OPEN DISCUSSION**

Mrs. Seger-Lawson reminded everyone of the Chamber Golf outing this Thursday at Sugarvalley Golf Club. Please attend if you can.

Daryl McGill, 3846 W Franklin Street, attended the active shooter class and said Officer Rubble did an excellent job at putting that information out there. As a former officer, Mr. McGill received a challenge coin from the Chief, and he appreciated it very much.

## **ADJOURN**

Being no further business to come before this regular session of the Bellbrook City Council, Mayor Baird declared the meeting adjourned at 8:50 pm.

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Robert L. Baird, Mayor

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Carrie C. Smith, Clerk of Council





# RECORD OF ORDINANCES

Ordinance No. 2015-12

October 12, 2015

## CITY OF BELLBROOK, OHIO

### ORDINANCE NO. 2015-12

#### **AN ORDINANCE APPROVING AN ADDENDUM TO THE SOLID WASTE AND RECYCLABLE MATERIAL COLLECTION AND DISPOSAL CONTRACT WITH RUMPKE OF OHIO, INC.**

WHEREAS, the City of Bellbrook participated in the 2012 Southwest Ohio Regional Refuse Consortium Invitation to Bid for the Collection, Transportation and Delivery for Disposal or Processing of Residential Solid Waste and Recyclable Materials; and

WHEREAS, the City entered into a contract with Rumpke of Ohio, Inc. for a three year period (January 1, 2013 to December 31, 2015), based on the results of this bid; and

WHEREAS, the City desires to extend the contract with Rumpke of Ohio, Inc. for a period of one year (January 1, 2016 to December 31, 2016) using the pricing established in the 2012 bid.

NOW, THEREFORE, THE CITY OF BELLBROOK HEREBY ORDAINS:

Section 1. That the contract addendum with Rumpke of Ohio, Inc. is hereby approved.

Section 2. That the City Manager is hereby authorized to execute the addendum which is attached hereto with Rumpke of Ohio, Inc. effective January 1, 2016 and to take such other action as required.

Section 3. That this ordinance shall take effect and be in force from and after the earliest period provided by law.

PASSED this \_\_\_\_ day of \_\_\_\_\_, 2015.

\_\_\_\_\_  
Robert L. Baird, Mayor

\_\_\_\_\_  
Jami L. Kinion, Clerk of Council

APPROVED AS TO FORM:  
Patricia N. Campbell, Municipal Attorney

## **ADDENDUM**

This document serves to add the following to the contract dated December 7, 2012 (the "Contract") between the City of Bellbrook, Ohio (the "City") and Rumpke of Ohio, Inc. (the "Contractor").

It is hereby agreed as follows:

Effective January 1, 2016 and continuing through December 31, 2016 Rumpke shall continue to provide weekly unlimited solid waste collection (including yardwaste and large items) and one (1) time per week curbside recycling collection for all residential units within the City of Bellbrook for the sum of \$12.03 per unit per month billed directly to the City of Bellbrook. The City's monthly invoice will also continue to reflect a charge of \$.83 per unit Generation Fee Adjustment Factor. All other services will be provided in accordance with rates quoted in Rumpke's October 31, 2012 bid proposal.

All other terms and conditions of the original contract dated October 31, 2012 shall remain unchanged.

The Contractor agrees to comply with all Federal, State and local laws and regulations in the collection, removal, and disposal of all such waste material. In the event that the Contractor incurs increased costs (such as, but not limited to, tipping fees, disposal fees, additional fuel costs, or new or increased surcharges, fees or taxes as a result of imposition of new governmental regulations not in effect at the time of acceptance of said contract and which regulate the type of material collected, the location for disposition of such material, or the payment of fees for disposing of such materials) then the City shall, after negotiation with Rumpke and approval by the City Council, adjust the unit cost by an amount commensurate with the increased per unit operating cost incurred by Rumpke.

In the event that either party is unable to perform any of its obligations under this contract or to enjoy any of its benefits because of (or if failure to perform the services is caused by) war, Acts of God, natural disaster (such as floods, earthquakes, tornadoes, hurricanes, blizzards, windstorms, high water table, unusually severe weather), fires, quarantine, labor disputes or strikes, explosion, shortage or failure in the supply of fuel, electric current or other public utility not caused by Contractor's actions, actions or decrees of governmental bodies not caused by Contractor's actions, or any other cause beyond the control of the parties (hereinafter referred to as a "Force Majeure Event"), the party who has been so affected shall immediately give notice to the other party. Upon receipt of notice, all obligations under this contract shall be immediately suspended. If the period of nonperformance exceeds thirty (30) days from the receipt of notice of the Force Majeure Event, either party may terminate this contract.

The term of this contract extension shall be for one (1) year effective January 1, 2016 and continuing through December 31, 2016. This contract may be renewed for one (1) additional one-year option period upon mutual written agreement of both parties.

**CITY OF BELLBROOK, OHIO**

**RUMPKE OF OHIO, INC.**

\_\_\_\_\_  
City Manager

\_\_\_\_\_  
William J. Rumpke, Jr., President

\_\_\_\_\_  
Witness

\_\_\_\_\_  
Witness

\_\_\_\_\_  
Date

\_\_\_\_\_  
Date



# RECORD OF RESOLUTIONS

Resolution No. 2015-CC

September 14, 2015

## CITY OF BELLBROOK, OHIO

### RESOLUTION NO. 2015-CC

#### **A RESOLUTION AUTHORIZING THE CITY MANAGER TO PREPARE AND SUBMIT AN APPLICATION TO PARTICIPATE IN THE OHIO PUBLIC WORKS COMMISSION STATE CAPITAL IMPROVEMENT AND/OR LOCAL TRANSPORTATION IMPROVEMENT PROGRAMS AND TO EXECUTE CONTRACTS AS REQUIRED.**

WHEREAS, the City of Bellbrook is applying for a grant to help finance the cost of a capital improvement known as the Plantation Trail Culvert Replacement Project pursuant to the programs administered by the Ohio Public Works Commission (OPWC); and

WHEREAS, the Ohio Public Works Commission is authorized to provide financial assistance for capital improvements to public infrastructure; and

WHEREAS, the Plantation Trail Culvert Replacement Project is considered to be a priority need for the community and is a qualified project under the OPWC.

NOW, THEREFORE, THE CITY OF BELLBROOK HEREBY RESOLVES:

Section 1. That the City Manager is authorized prepare and submit an application to the OPWC for grant funding in the amount of \$299,284 for the Plantation Trail Culvert Replacement Project.

Section 2. That the City Manager is authorized to execute any agreements as may be necessary and appropriate to obtain this grant funding from the OPWC.

Section 3. That this resolution shall take effect and be in force forthwith.

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Robert L. Baird, Mayor

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Eileen F. Minamyer, Clerk of Council



# RECORD OF RESOLUTIONS

Resolution No. 2015-DD

September 14, 2015

## CITY OF BELLBROOK, OHIO

### RESOLUTION NO. 2015-DD

#### **A RESOLUTION ADOPTING THE 2015 GREENE COUNTY NATURAL HAZARD MITIGATION PLAN.**

WHEREAS, amendments to the Stafford Act mandate that after November 1, 2003 a local government must have a mitigation plan on file with the State in order to receive mitigation funding following any declared disaster; and,

WHEREAS, the Greene County Emergency Management Agency partnered with Wright State University for the completion of a Countywide Comprehensive Natural Mitigation Plan; and

WHEREAS, the Countywide Comprehensive Natural Hazard Mitigation Plan established the foundation for coordination among agencies and the public in Greene County, identifies and prioritizes future mitigation project in the County, and assists in meeting the requirements of federal assistance programs; and,

WHEREAS, the City of Bellbrook recognizes the vulnerability of its resources, property and operations to the impact of disasters and emergencies; and,

WHEREAS, the City of Bellbrook endorses the objectives of the Countywide Comprehensive Natural Hazard Mitigation Plan and acknowledges that it can support the Plan in the achievement of those goals in appropriate ways; and

WHEREAS, the plan has been recently updated and reviewed by FEMA as required by Stafford Act.

NOW, THEREFORE, THE CITY OF BELLBROOK HEREBY RESOLVES:

Section 1. That the 2015 Greene County Natural Hazard Mitigation Plan is hereby adopted.

Section 2. That this resolution shall take effect and be in force forthwith.

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Robert L. Baird, Mayor

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Eileen F. Minamy, Clerk of Council





# RECORD OF RESOLUTIONS

Resolution No. 2015-EE

September 14, 2015

## CITY OF BELLBROOK, OHIO

### RESOLUTION NO. 2015-EE

#### **A RESOLUTION CONFIRMING THE PROPOSED AMENDMENTS TO THE REGIONAL PLANNING AND COORDINATING COMMISSION OF GREENE COUNTY BYLAWS.**

WHEREAS, the City of Bellbrook is a member of the Regional Planning and Coordinating Commission (RPCC) of Greene County, Ohio; and,

WHEREAS, the RPCC has proposed modification of the financial provisions in Section XI of its bylaws; and

WHEREAS, Article 13.04 of the bylaws require any modification of the financial provisions in Section XI to be amended only after it has been confirmed by the County Commissioners of Greene County and a majority of the participating political subdivisions, such action to be completed within six (6) months of the date of the proposed amendment by the County Commissioners approval.

NOW, THEREFORE, THE CITY OF BELLBROOK HEREBY RESOLVES:

Section 1. That the City of Bellbrook confirms the proposed amendments to the Regional Planning and Coordinating Commission of Greene County bylaws including the financial provisions in Section XI.

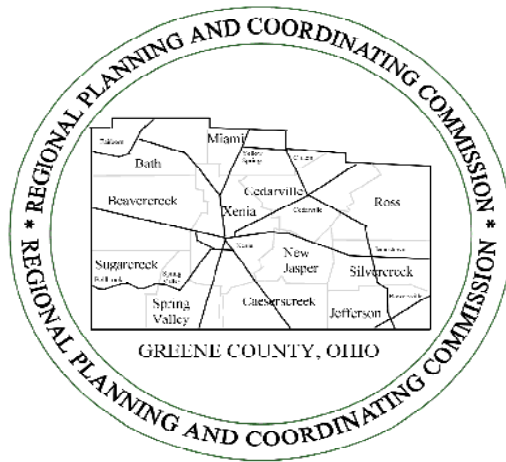
Section 2. That this resolution shall take effect and be in force forthwith.

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Robert L. Baird, Mayor

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Eileen F. Minamy, Clerk of Council



**RESOLUTIONS AND BYLAWS**  
**FOR**  
**REGIONAL PLANNING AND COORDINATING COMMISSION**  
**OF GREENE COUNTY**

Amended: August 26, 1975

Amended: February 24, 1976

Amended: June 24, 1980

Amended: June 25, 1996 - Resolution #96-06-25-1C

Amended: October 28, 2008 - Resolution #08-10-28-2C

Amended: October 28, 2014 – Resolution #14-10-28-1C

Amended: March 24, 2015 – Resolution #15-03-24-5C

**PROPOSED AMENDMENTS BY EXECUTIVE COMMITTEE – 8/18/2015**

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SECTION I AUTHORIZATION

The authorization for the establishment of the Regional Planning and Coordinating Commission of Greene County is set forth under Section 713.21, Chapter 713, Ohio Revised Code, and amendments and supplements thereto. The Board of County Commissioners of Greene County, Ohio, acted in accordance with the above mentioned enabling law to establish the Regional Planning Coordinating Commission of Greene County by resolution dated April 20, 1973, as follows:

Resolution adopted:

IN THE MATTER OF CREATING THE REGIONAL PLANNING AND  
COORDINATING COMMISSION OF GREENE COUNTY  
RESOLUTION NO. 73-19

BE IT RESOLVED, that the Board of Greene County Commissioners of Greene County, Ohio, in accordance with the Ohio Revised Code, do hereby create the Regional Planning and Coordinating Commission of Greene County, Ohio, and that this official body determines to cooperate with the Planning Commission of any political subdivisions located within said County in the creation and maintenance of the Greene County Planning and Coordinating Commission on the above stated terms.

/S/James A Ford, Sr. \_\_\_\_\_

/S/Joseph E. Haines \_\_\_\_\_

/S/James J. Cain \_\_\_\_\_

/S/Joan Anderson \_\_\_\_\_

Clerk

\_\_\_\_\_ April 20, 1973 \_\_\_\_\_

date

## SECTION II TITLE

The title or name of the Commission shall be the "Regional Planning and Coordinating Commission of Greene County," and shall hereinafter sometimes be referred to as "Commission."

## SECTION III THE REGION

### Article 3.01 County Jurisdiction

The Region for which the Commission shall be created and maintained may be all of Greene County.

## SECTION IV MEMBERSHIP

### Article 4.01 County Representatives

The representation of the County shall be the three (3) county commissioners who shall serve during their terms of office. Serving ex-officio from the county shall be **THE:** County Engineer, County **COMBINED** Health **DISTRICT COMMISSIONER** Official, ~~County Planner,~~ County **AGRICULTURAL** Extension Agent, County Auditor, County Soil **AND WATER** Conservation **DISTRICT ADMINISTRATOR**, County Prosecuting Attorney, County **CHIEF** Building **OFFICIAL** Inspector, County Sanitary Engineer, County Recreation and Parks **AND TRAILS DIRECTOR** Department, County Park Board ~~DISTRICT,~~ **COUNTY DEPARTMENT OF DEVELOPMENT DIRECTOR, AND COUNTY EMERGENCY MANAGEMENT DIRECTOR.**

### Article 4.02 Township Trustees Representatives

Each Board of Township Trustees shall have one (1) official representative **AND ALTERNATE**. In addition, serving ex-officio from the township shall be **THE:** Township **R**oad Superintendent, Township Zoning Inspector, Township Fire Inspector, Township Planner, Township **ZONING** Planning-Commission representative.

### Article 4.03 Municipal Representatives

Each incorporated municipality shall have one official representative from the elected body **AND ALTERNATE**. In addition, serving ex-officio from the municipality shall be **THE:** City-Manager, City-Engineer, City-Planners, **ZONING ADMINISTRATOR**, City Building Inspectors, City-Recreation and Parks Department, City Fire Chief, **AND/OR**

City-Planning Commission representative.

#### Article 4.04 Other Representatives

Other ex-officio representatives on the Commission shall be: **WRIGHT STATE UNIVERSITY, CEDARVILLE UNIVERSITY, CENTRAL STATE UNIVERSITY, WILBERFORCE UNIVERSITY, ANTIOCH COLLEGE, CLARK STATE COMMUNITY COLLEGE,** ~~College Consortium, County School Board, City School Board of Fairborn, Xenia, and Yellow Springs, Parochial~~ **GREENE COUNTY CAREER CENTER, BEAVERCREEK, CEDARCLIFF, FAIRBORN, GREENVIEW, SUGARCREEK, XENIA AND YELLOW SPRINGS** School Districts, Wright-Patterson Air Force Base, District Library Director and other entities whose inclusion would be of benefit to the Commission.

#### Article 4.05 Vacancies and Dismissals

If any member **OR THEIR DESIGNATED ALTERNATE** of the Regional Planning and Coordinating Commission of Greene County is absent for three (3) consecutive meetings, he **SUCH MEMBER** may, at the option of the Executive Committee, be considered to have resigned and shall not be counted thereafter in the numerical requirements of a quorum, unless and until a successor has been appointed by the participating member body. If any member is so dismissed for non-attendance, the President shall instruct the Secretary to so notify the participating body of his/**HER** dismissal and request an appointment of a new member.

## SECTION V OFFICERS AND COMMITTEES

#### Article 5.01 President and Vice President

A President and Vice President shall be elected by the Regional Planning and Coordinating Commission of Greene County at its first regular meeting each year and shall hold office until the first regular meeting in the succeeding year after the election and until his/**HER** successor is elected and qualified. It shall be the duty of President to serve as the principal executive officer of the Commission, to conduct its meetings, execute contracts, and to perform such other duties as the Commission shall from time to time direct. It shall be the duty of the Vice President to assist the President and to serve in his/**HER** absence, and to perform such other duties as the Commission shall from time to time direct.

#### Article 5.02 Secretary

The Secretarial duties of the Commission shall be the responsibility of the office of the Commission.

#### Article 5.03 Treasurer

The Treasurer duties of the Commission shall be the responsibility of the office of the Greene County Auditor.

#### Article 5.04 Other Officers

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

#### Article 5.05 Nominations

On or before December *1st* of each year, the President shall appoint a Nominating Committee of five (5) members of the Commission, which Committee shall prepare a list of one (1) or more nominations for each office, selected from among the members of the Commission for its officers. Such list shall be mailed to each member of the Commission at least seven days prior to the first regular meeting of the Commission in the following year. Additional nominations may be made from the floor by any member of the Commission at the Annual Meeting. Election shall be by ballot, and tally shall be made by the Nominating Committee.

#### Article 5.06 Officer Vacancies

If any executive office shall become vacant by reason of death, resignation, disqualification, or any other cause, the vacancies shall be filled immediately by election or appointment in the regular manner for the unexpired remainder of the term.

#### Article 5.07 Executive Committee and Officers

There shall be an Executive Committee of the Regional Planning and Coordinating Commission of Greene County consisting of the President, Vice President and three (3) other members of the Commission. All members shall be elected officials and elected from the official membership. **THE EXECUTIVE COMMITTEE SHALL BE COMPRISED OF AT LEAST ONE REPRESENTATIVE EACH FROM** ~~and shall include~~ the Greene County Commissioners, **TOWNSHIPS AND MUNICIPALITIES.**



**EXCLUDING ANY MUNICIPAL MEMBER SERVING AS PRESIDENT OR VICE PRESIDENT, MUNICIPAL REPRESENTATIVES SHALL SERVE ON A ROTATING BASIS AMONG MEMBER MUNICIPALITIES AND NO SUCH MUNICIPAL REPRESENTATIVE SHALL SERVE TWO OR MORE CONSECUTIVE YEARS ON THE EXECUTIVE COMMITTEE UNLESS ALL OTHER MUNICIPAL MEMBERS HAVE DECLINED TO SERVE FOR THAT YEAR.** ~~representative to the Commission.~~ A sixth member of the Executive Committee shall be elected from the RPCC voting membership to serve as an alternate and may serve in the stead of any Executive Committee member absent from any Executive Committee meeting.

#### Article 5.08 Special Committees

Special committees shall be appointed by the President with the approval of the Commission.

#### Article 5.09 Reports

All reports of Committees appointed by the President, unless otherwise directed, shall be submitted in writing to the Executive Committee for authorization of issuance, approval of contents, or recommendation for further study, before being acted upon.

## SECTION VI POWERS AND DUTIES OF COMMISSION

#### Article 6.01 Regional Plans

The Regional Planning and Coordinating Commission of Greene County shall make studies, maps, plans, and other reports of the region or county respectively, which may include adjoining areas, showing the commission's recommendations for systems of transportation, highways, park and recreational facilities, water supply, sewage disposal, garbage disposal, civic centers, and other public improvements and land uses which affect the development of the region as a whole or as more than one political unit within the region, and which did not begin and terminate within the boundaries of any single municipal corporation.

#### Article 6.02 Amendments to Regional Plans

Said plans or maps may be changed, supplemented, or abolished from time to time at the discretion of the Commission, but no plans or maps shall be adopted, changed,

supplemented or abolished without a public hearing thereon.

#### Article 6.03 Community Assistance

The Commission may undertake for any cooperating political subdivision of the county the study, planning, mapping, and reports involving the use of land within the boundaries of such political subdivision and involving a planning or zoning project which is particularly or directly applicable and which is initiated by such political subdivision. The cost of such shall be paid by the political subdivision in such manner and amount as may be agreed upon between the Executive Committee of the Regional Planning and Coordinating Commission of Greene County and the legislative authority of such political subdivision.

#### Article 6.04 Other Powers

Said Regional Planning and Coordinating Commission of Greene County shall have all powers and duties now or hereafter provided by law for Regional Planning Commission as found in the Ohio Revised Code.

#### Article 6.05 Reference Library

The Commission shall cause to be established a reference collection containing copies of all officially adopted planning and zoning documents and codes of each member, and of each nonmember political subdivision of the county. It shall also seek similar documents from adjacent political subdivisions surrounding Greene County and such other materials as may be useful to the Commission.

### SECTION VII POWERS AND DUTIES OF EXECUTIVE COMMITTEE

#### Article 7.01 Powers of Executive Committee

All of the powers and duties of the Regional Planning and Coordinating Commission of Greene County except as otherwise provided in the statutes of the State of Ohio, or in the terms of this resolution of cooperation, shall be possessed and may be exercised by the Executive Committee, but always subject to review by the Commission as a whole as hereafter provided.

#### Article 7.02 Adoption of Plan

Upon the adoption by the Executive Committee of any map or plan of the kind and character described in Section 713.23 et. seq. of the Ohio Revised Code, or any change,

supplement, or abolition thereof, the Commission shall cause a copy thereof to be sent by mail or delivered personally to each member of the Regional Planning and Coordinating Commission of Greene County and a written record to be made of each such mailing or delivery. Any member of the Commission may, within ten days after the mailing or delivering of his copy, serve written demand on the Secretary of the Commission for a special meeting of the Commission to review such map, plan, change, supplement, or abolition, in which case the Secretary shall call such special Commission meeting to be held not more than fifteen (15) days after the receipt of such demand. At such special meeting such map, plan, change, supplement, or abolition may be modified or disapproved by the vote of the majority of the members of the Planning Commission.

## SECTION VIII MEETINGS

### Article 8.01 Meetings of Commission

The Regional Planning and Coordinating Commission of Greene County shall hold regular meetings during each year; unless otherwise directed, by vote of the Commission, said meetings shall be held the fourth Tuesday of each month at a place to be announced with notice of meeting. The regular meeting in January shall constitute the annual meeting of the Commission for the election of officers and Executive Committee and for organization purposes. Special meetings may be called by the President or by any three (3) members for any purposes of the Commission. The Secretary shall mail or deliver written notice of each regular or special meeting to each member of the Commission not less than five (5) days prior to each meeting. Notices of special meetings shall state the purpose for which such meeting is called.

### Article 8.02 Meetings of the Executive Committee

The Executive Committee shall provide, by its own rule, for any regular or special meetings it may deem 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.

### Article 8.03 Quorum

At any meeting of the ~~Regional Planning and Coordinating Commission of Greene County or its~~ Executive Committee, a quorum shall consist of a majority of all voting members thereof. **AT ANY MEETING OF THE REGIONAL PLANNING AND**

**COORDINATING COMMISSION, A QUORUM SHALL CONSIST OF A MAJORITY OF ALL VOTING MEMBERS THEREOF, MINUS ANY VOTING MEMBER AND THEIR ALTERNATE WHO HAVE BEEN ABSENT FROM THREE CONSECUTIVE PRIOR MEETINGS.** ~~.; provided, however, a~~ **A lesser NUMBER OF memberS** may adjourn any meeting from time to time.

#### Article 8.04 Voting

Only members of the Regional Planning and Coordinating Commission of Greene County shall have voting privileges. **A VOTING MEMBER'S DESIGNATED ALTERNATE MAY VOTE IF THE DESIGNATED MEMBER IS ABSENT FROM THAT MEETING.** Ex-officio members will not have voting privileges. All actions of the Planning Commission or Executive Committee shall be by resolution or motion. Voting shall be by roll call and the Secretary shall keep or cause to be kept a record of each vote showing the ayes, nays, not voting, or the absence of any members.

#### Article 8.05 Parliamentary Procedures

Unless otherwise specified herein, Robert's Rules of Order shall govern the proceeding at the meetings of the Planning Commission.

### SECTION IX CERTIFICATION AND ADOPTION OF PLAN

#### Article 9.01 Local Community Certificate

The Commission, after making the regional plan, or change, supplement, or abolition thereof, shall certify a copy thereof to each political subdivision of the Region and to each township and to the County Commissioners of Greene County.

#### Article 9.02 Local Community Adoption

The Legislative body of any political subdivision to which such plan, change, supplement, or abolition is certified may adopt the same, and it shall thereupon have the same force and effect within such political subdivision as is provided by law or charter for plans prepared and adopted by said planning commission., The County Commissioners of Greene County may adopt said plan, change, supplement, or abolition so far as it relates to non-municipal territory within their jurisdiction.

Article 9.03 Local Communities Not Adopting

Said plan, change, supplement, or abolition shall be of no effect in any political subdivision unless so adopted by its legislative body, nor in any non-municipal territory unless so adopted by the County Commissioners of Greene County, or as provided by state statutes.

Article 9.04 Filing With County Recorder

When so adopted, said plan, change, supplement, or abolition shall be certified to the Regional Planning Commission and filed with the County Recorder, as provided by Section 713.27 of the Ohio Revised Code.

SECTION X PLANNING SERVICES

Article 10.01 Membership Privileges

Any municipality, township, or county which is a member of the Regional Planning and Coordinating Commission of Greene County and has paid its pledge contribution within the first three (3) months of the current year shall, without additional contribution or payments, be entitled to the following:

- 10.01.1 Consultation by local planning officers with staff members of the Regional Planning and Coordinating Commission of Greene County in minor or special planning problems.
- 10.01.2 A review regarding any preliminary plan of a subdivision of a limited area, filed with the political subdivision in which the subdivision is proposed.
- 10.01.3 The occasional attendance by a staff member of the Regional Planning and Coordinating Commission of Greene County at meetings of the political subdivision planning commission or legislative body to render advice and assistance on specific local planning matters.
- 10.01.4 Representation on special committees authorized or appointed to study special problems, wherein the area involved includes some part or all of the territory of such member body.

10.01.5 Member organizations shall have first priority of staff time of the commission.

#### Article 10.02 Planning Services Agreement

The President is hereby authorized to undertake for the Planning Commission, or legislative body of any political subdivision which is a member of the Regional Planning and Coordinating Commission of Greene County or the planning or zoning commission of any other political subdivision in the county, in addition to the above mentioned services, the study, planning, and mapping of, or reporting upon, public improvements, or the use or development of land within the boundaries of such political subdivision, which affect the development of the region as a whole or which do not begin or terminate within such political subdivision in accordance with any special agreement authorized or approved by the Executive Committee.

#### Article 10.03 Planning Fees and Charges

All charges for services rendered pursuant to Article 10.02 of this Section shall be determined on the basis of cost of staff time, materials, and travel, plus a percentage of overhead to be determined by computing the percentage of the Commission's total current budget committed to overhead expenses.

#### Article 10.04 Agreement Procedure

Service Agreements between political subdivisions of the Region and the **REGIONAL PLANNING AND COORDINATING** Commission shall be consummated upon the: 1) resolution of municipal or township members requesting the Regional Planning and Coordinating Commission of Greene County to proceed with specified planning services; and appropriating the necessary funds to cover the cost of the work to be performed by the members of the staff of the Regional Planning and Coordinating Commission of Greene County during the current year, to be followed by supplemental appropriations in succeeding years as required to complete the specified services; and 2) a resolution by the Executive Committee of the Commission authorizing the President **TO SIGN AND THE EXECUTIVE DIRECTOR** to proceed with such work pursuant to the requests of the legislative body of such municipality, and township trustees or other political subdivisions of the region.

#### Article 10.05 Planning Progress Reports

Copies of all written reports, documents, or plans in connection with planning service

rendered by agreement to any municipality, political subdivision, or administrative body or bureau thereof, shall be mailed to the Executive Committee members at the time they are issued.

## SECTION XI FINANCIAL PROVISIONS

### Article 11.01 Submission of Budget

A budget for maintaining the Regional Planning and Coordinating Commission of Greene County shall be submitted to the participating governmental bodies and the Greene County Administrator by July, in accordance with the budget basis of the Ohio Revised Code of each calendar year, and the amounts to be paid to the Regional Planning and Coordinating Commission of Greene County by the participating governmental bodies shall be apportioned.

### Article 11.02 ~~Subdivision Contribution~~ **MEMBERSHIP DUES**

**FINANCIAL SUPPORT TO THE REGIONAL PLANNING AND COORDINATING COMMISSION OF GREENE COUNTY (RPCC) FROM THE COUNTY, TOWNSHIPS AND MUNICIPALITIES FOR THE CALENDAR YEAR 2016 SHALL BE BASED UPON POPULATION COUNTS FROM THE 2010 DECENNIAL CENSUS AND GOVERNED BY THE FOLLOWING PROVISIONS:**

**11.02.1 THE BOARD OF COUNTY COMMISSIONERS OF GREENE COUNTY SHALL CONTRIBUTE FUNDS, AT A NINETY CENTS PER CAPITA RATE OF THE TOTAL POPULATION OF THE COUNTY.**

**11.02.2 EACH** ~~The Village, Township and Municipality cooperating in the maintenance of the Regional Planning and Coordinating Commission of Greene County herein, shall contribute in each calendar year a proportionate share (per capita rate) based upon the~~ **ITS** population according to the latest Federal **DECENNIAL** Census. Said proportionate share **S** shall be, ~~and as determined by the Regional Planning and Coordinating Commission of Greene County for each year based upon the adopted budget.~~ **AT A**

**TWENTY-FIVE CENTS PER CAPITA RATE FOR TOWNSHIPS, AT A TWENTY-FIVE CENTS PER CAPITA RATE FOR MUNICIPALITIES WITH A POPULATION OF LESS THAN TWENTY THOUSAND AND AT A TEN CENTS PER CAPITA RATE FOR MUNICIPALITIES WITH A POPULATION OF TWENTY THOUSAND OR MORE. NO MEMBERSHIP DUES SHALL BE LESS THAN ONE HUNDRED (100) DOLLARS FOR ANY INDIVIDUAL YEAR.**

**11.02.3 COUNTY, TOWNSHIP AND MUNICIPAL CONTRIBUTIONS PAYABLE FOR CALENDAR YEARS SUBSEQUENT TO 2016 SHALL BE BASED UPON THE LATEST POPULATION ESTIMATES PUBLISHED BY THE OFFICE OF RESEARCH OF THE OHIO DEVELOPMENT SERVICES AGENCY, A STATE AFFILIATE OF THE U.S. CENSUS BUREAU.**

**11.02.4 IN THE EVENT ONE OR MORE MUNICIPALITIES, OR PARTS THEREOF, ARE SITUATED WITHIN A TOWNSHIP, THE POPULATION OF SUCH TOWNSHIP TO BE USED IN CALCULATING ITS PROPORTIONATE SHARE SHALL EXCLUDE THE POPULATION WITHIN SUCH MUNICIPALITIES.**

**11.02.5 IN THE EVENT A MUNICIPALITY IS SITUATED WITHIN GREENE COUNTY AND ONE OR MORE ADDITIONAL COUNTIES, THE POPULATION OF SUCH MUNICIPALITY TO BE USED IN CALCULATING ITS PROPORTIONATE SHARE SHALL INCLUDE ONLY THE POPULATION WITHIN GREENE COUNTY.**

**11.02.6 POPULATION HOUSED WITHIN THE BOUNDARIES OF A FEDERAL MILITARY INSTALLATION SITUATED WITHIN ANY TOWNSHIP SHALL BE EXCLUDED FROM THE POPULATION USED TO CALCULATE ANY PROPORTIONATE SHARE FOR SUCH TOWNSHIP. SUCH NUMBER USED SHALL BE DOCUMENTED IN A DECENNIAL CENSUS COUNT**



**AND/OR AN ESTIMATE PROVIDED BY THE CENSUS BUREAU  
OR ITS STATE AFFILIATE IN BETWEEN THE DECENNIAL  
CENSUS COUNTS.**

The County cooperating in the maintenance of the Regional Planning and Coordinating Commission of Greene County shall contribute in each calendar year a proportionate share based upon the population of the county according to the latest Federal Census. Said Greene County share shall be seven (7) times the above mentioned per capita rate multiplied by the total population of the county.

**SAMPLE FORMULA**

<del>A</del>	County Population
<del>B</del>	Times 7
<del>C (=A x B)</del>	Equals County Units Plus Total Population of Members (Units)
<del>D</del>	Total Units for Calculation
<del>E (=C + D)</del>	
<del>F</del>	Expected Budget
<del>G</del>	Minus Expected Revenue
<del>H</del>	Minus Carry Over in excess of 35%
<del>I (=F - G - H)</del>	Budget Share Paid Through Per Capita
<del>J</del>	Budget Share Paid Through Per Capita Divided By Total Units
<del>J (=I / E)</del>	Jurisdiction Per Capita Rate
<del>K</del>	Times 7
<del>L (=J x K)</del>	County Per Capita Rate

Subsequent to an incorporation, or annexation, an adjustment to the most current official federal census figures, for the purpose of calculating proportionate share, be made as itemized herein:

- ~~1. Where there are existing dwelling units in an area to be incorporated or annexed, the number of dwelling units, by type, which existed prior to the most current official federal census shall be counted.~~
- ~~2. The population to be annexed or incorporated shall then be calculated by multiplying the number of dwelling units by the persons per dwelling unit as determined from the most current census for the particular political~~

~~subdivision.~~

- ~~3. The estimated population shall then be subtracted from the losing political subdivision's most current census figure and added to the receiving political subdivision's most current census figure.~~
- ~~4. Revised population figures shall be utilized and take effect in the succeeding calendar year.~~
- ~~5. Interim federal census data may be substituted for the above methodology.~~

~~Using the above formula, the staff of the Regional Planning and Coordinating Commission shall revise the official census figures of 1970 to reflect annexations which have taken place to date. Said figures shall be used in the calculation of the 1976 pro rata share of budget participation.~~

~~Political subdivisions requesting membership in the Regional Planning and Coordinating Commission of Greene County after the first year will pay the first year's assessment, plus the assessment for the year in which they gain membership.~~

#### Article 11.03 Financial Limitation

~~The allocation or appropriations established by the preceding article shall be limited by and not exceed the budget, as prepared by the Commission. If the preceding year's budget has a carry-over in excess of thirty five percent (35%) of the annual approved budget, any dollar amount over the thirty five percent (35%) shall be credited to each member jurisdiction in proportion to their per capita assessment for that year in the upcoming budget year.~~

#### Article 11.04 Authority to Receive Grants

~~The Regional Planning and Coordinating Commission of Greene County may accept, receive, and expend funds, grants, and services for the Federal Government or its agencies, from departments, agencies, and instrumentalities of state or local government or from civic sources and contract with respect thereto, and provide such information and reports as may be necessary to secure such financial aid.~~

#### Article 11.05 Certification of Appropriations

~~The Commission shall, at its regular January meeting in each year, make appropriations for its expenses for that year, which appropriations 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 the participating township, villages, cooperating municipalities,~~

public agencies, the Federal Government, or other sources.

#### Article 11.06 Expenditures and Disbursements

All disbursements of the Regional Planning and Coordinating Commission of Greene County shall be made by vouchers drawn on the Auditor of Greene County signed as hereinafter provided. All expenditures, disbursements, or commitments or contracts for expenditures or disbursements, when in excess of \$100.00 shall be authorized by the Executive Committee. Expenditures, disbursements, or commitments or contracts for expenditures or disbursements in an amount of \$100.00 or less shall be authorized by the President, or in his absence, by the Vice President, provided that no one of them shall approve his own account.

#### Article 11.07 Audit of Records

An audit and examination of the financial records of the Regional Planning and Coordinating Commission of Greene County shall be performed by the ~~State Examiners of the Bureau of Inspection and Supervision of Public Offices,~~ Office of Auditor of State, as required. A copy of the audit shall be made a part of the permanent records of the Commission.

## SECTION XII PERSONNEL

The Commission shall employ the Planning Director and set his reimbursement. The Executive Committee shall be responsible for all aspects of staff employment and empowered to employ the needed staff on recommendation of the Planning Director ~~and approval of the Board of County Commissioners.~~

#### Article 12.01 Other Employees

~~In case of need to employ persons who shall receive less than \$5,000 per year, the Director is authorized to employ a person under the appropriate job classification provided only that such person shall receive the lowest wage rate within the particular classification, unless the Executive Committee shall have authorized a higher rate. The Director shall report such employment to the Executive Committee at its next regular meeting.~~ All other persons shall be employed by the Director only after the prior approval of the Executive Committee.

#### Article 12.02 Job Qualifications

The Executive Committee shall adopt a classification of jobs to be performed by employees of the Regional Planning and Coordinating Commission of Greene County which schedule shall establish the maximum number of jobs for each classification and appropriate wage or salary wage or salary rates for each such classification. Such job classification, upon its adoption, may be amended by the Executive Committee from time to time.

#### Article 12.03 Increases and Reclassification

The Director may, after the prior approval of the Executive Committee, increase the wage of any person within any classification or reclassify any employee and pay an appropriate wage within such new classification.

#### Article 12.04 Overtime, Vacation, Sick Leave

~~THE REGIONAL PLANNING AND COORDINATING COMMISSION SHALL FOLLOW THE OVERTIME, VACATION AND SICK LEAVE POLICIES ADOPTED BY THE COUNTY.~~

~~12.04.1 The Director may approve, in advance of the work on the basis of emergency need for the efficient operation of the Commission, overtime for each employee of the Commission, such overtime to be compensated shall not exceed one and one half (1 1/2) times the standard hourly rate for each employee's classification. Also, in lieu of monetary compensation, compensatory time may be used.~~

~~12.04.2 Each employee of the Commission shall be entitled to an annual vacation as provided by Section 325.18 of the Ohio Revised Code as amended.~~

~~12.04.3 Each employee shall, be entitled in each year of employment to a sick leave, upon proven illness, as provided by Section 143.29 of the Ohio Revised Code.~~

#### Article 12.05 Unclassified Employees

No person shall be employed for a job or position with the Regional Planning and Coordinating Commission of Greene County if not within any of the established job classifications, or in excess of maximum number established for any job classification without the prior approval of the Executive Committee.

#### Article 12.06 Outside Employment

Employees of the Regional Planning and Coordinating Commission of Greene County shall be permitted to assist occasionally those public agencies that are not and cannot become members of the Regional Planning and Coordinating Commission of Greene County and then such employment may be entered into only under the following conditions:

Outside employment shall have the prior authorization of the Director, subject to the approval of the Executive Committee. Such employment shall be at a time other than that regularly required by the Regional Planning and Coordinating Commission of Greene County provided only that if outside work must be done during regular working hours, then leave, without pay or with compensatory time through overtime, must be obtained.

#### Article 12.07 Travel Authorization and Compensation

In the event that it is necessary for one or more officers, members of employees of the Commission to travel outside the Regional area on Commission business, the following conditions shall apply:

All travel expenses incurred, including the type of travel, outside the area shall be authorized by the President of the Commission, or in his absence, the Vice Presidents in order. All employees shall be reimbursed for the normal use of their private cars on Commission business inside or outside the region at a rate as established by the Commission, except that the Director may alter the rate under the following conditions:

Raise the rate of compensation for any special projects involving long and continuous use of an employee's car, i.e., Land Use Surveyor any other use exceptionally hard on said car.

### SECTION XIII AMENDMENT PROCEDURES

These bylaws may be amended from time to time only in accordance with the following

procedure:

#### Article 13.01 Resolution Approving Amendments

A resolution approving the form of such proposed amendment shall be adopted by the Executive Committee at least fifteen (15) days in advance of the next regular meeting of the Commission or a petition signed by at least five (5) members setting forth the proposed amendment, and shall be delivered to the Secretary at least fifteen (15) days in advance of the next regular meeting of the Commission.

#### Article 13.02 Submission of Proposed Amendments

The Secretary shall thereafter, but not less than ten (10) days prior to the next regular meeting of the Commission, forward to each member of the Commission a copy of such proposed amendment together with a notice that it will be the subject of action at the next regular meeting of the Commission.

#### Article 13.03 Adopted Amendments

Such proposed amendment shall be presented at the next regular meeting of the Commission and be considered as moved and seconded for adoption. Such amendment shall be deemed adopted upon receiving the affirmative vote of a majority of the members of the Commission.

#### Article 13.04 Provision of Financial Amendment, Section XI

Financial Provision, in addition to Article 13.01 through 13.03 of this section, may be amended only after the proposed amendment has been confirmed by the County Commissioners of Greene County, and a majority of the participating political subdivisions such action to be completed within six (6) months of the date of the proposed amendment by the County Commissioners approval.

### SECTION XIV STATUTES AND SEVERANCE CLAUSE

#### Article 14.01 Inclusion of Statutes

All applicable statutes of the State of Ohio are included in these bylaws and rules of procedure and made a part hereof.

#### Article 14.02 Inclusion of Severance Clause

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.

## SECTION XV WITHDRAWAL

Article 15.01 **COUNTY**, Municipal, ~~OR Township, Village and County~~ Membership Withdrawals

Any member **COUNTY**, municipality, ~~village~~, or township may withdraw their cooperation hereunder at any time by a resolution to do so and delivering a certified copy thereof approved by the legislative body of said **COUNTY**, municipality, ~~village~~, or township, to the Director of the Regional Planning and Coordinating Commission of Greene County. Notice of intention to withdraw must be submitted one year in advance of withdrawal. The withdrawal notice shall not relieve the withdrawing party of its obligation to contribute its share of the cost for the year in which the withdrawal occurs.

## SECTION XVI TIME OF TAKING EFFECT

Article 16.01 Terms of Cooperation

These terms of cooperation shall take effect on January 1, 1973, provided that prior thereto they shall have been agreed to by the County Commissioners, Township Trustees, and the legislative bodies of all participating political subdivisions.

Article 16.02 Submission of Resolution

Be it further resolved, that the Secretary of the Commission is hereby instructed to forward a copy of this resolution to the Board of County Commissioners of Greene County and to each cooperating political subdivision, with a request that it be approved by said board.

## SECTION XVII DISSOLUTION OF PLANNING COMMISSION

The Regional Planning and Coordinating Commission of Greene County shall be dissolved only after and upon full compliance with the procedure for dissolution as described herein: The president of the Commission shall notify every member of the Commission by registered mail (return receipt requested) at least sixty (60) days before the day of the Commission at which time a motion for dissolution is to be discussed. At said meeting, a motion will be entertained to dissolve the Regional Planning and

Coordinating Commission of Greene County. Following said motion which is duly made and seconded, each member in attendance shall be polled and his vote recorded.

After the votes have been tabulated and it has been ascertained that more than two-thirds ( $66\frac{2}{3}$  per cent) of the full membership of the Regional Planning and Coordinating Commission of Greene County has voted to dissolve the Regional Planning and Coordinating Commission of Greene County, the Commission shall be dissolved. At the earliest possible date following date of dissolution, all monetary debts incurred by the Commission, Executive Committee and/or the staff, shall be paid in full. All remaining assets of the Commission shall be disposed of in the manner agreed to by a majority of the Commission members present at the time of dissolution.

Each political subdivision represented on the Commission at the time of dissolution shall be entitled to and receive its pro-rata share of the net proceeds from the disposal of the assets after all debts are paid.

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