

ARTICLE I

OBJECTIVES

The objectives and purposes of the Planning Commission of Shelby County, Shelbyville, and Simpsonville, are those set forth in Kentucky Revised Statutes, Chapter 100 and amendments and supplements thereto and those powers and duties delegated to the Planning Commission by the Fiscal Court of Shelby County, Order Book number 1963, Page 558; The Board of Council of Shelbyville, September 7, 1967, and the Simpsonville City Commission ordinance number S-67, in accordance with the above mentioned enabling law.

ARTICLE II**OFFICERS AND THEIR DUTIES****SECTION 1**

The officers of the Planning Commission shall consist of a chairman, vice chairman, and secretary/treasurer.

SECTION 2

The chairman shall be the presiding officer at all meetings and hearings of the Planning Commission and shall perform his duties as described by the proper parliamentary procedure. The chairman shall be a voting member of the Commission, unless acting as the executive director. The chairman may act in the capacity of executive director, at the discretion of the Planning Commission. *(Amended 4-20-04 & 2-19-08)*

SECTION 3

Under parliamentary procedure, the chairman's general duties are: 1) to open and call the meeting to order; 2) to announce the business to be conducted; 3) to recognize members entitled to the floor; 4) to state and put to vote all questions which are regularly moved or necessarily arise in the course of proceedings and to announce the result of the vote; 5) to protect the Commission from unnecessary or frivolous motions by not recognizing them; 6) to speed up proceedings as much as possible; 7) to require order and sincerity in meetings; 8) to inform the group present to a point of order or a practice pertinent to pending business; and 9) to authenticate, by his signature when necessary, all acts, orders, and proceedings of the Commission. *(Amended 2-19-08)*

The Chairman or his/her designee has the authority to sign plats presented to the Commission office. These plats will include minor subdivision plats, final subdivision plats, boundary adjustment plats, consolidation plats, and plats of correction that would not require the review of the Commission and could be approved by the Chairman after review by staff for compliance with the Zoning Regulations and Subdivision Regulations. This shall not include major subdivision plats or subdivision plats that require a variance and/or waiver.

The following definitions define those plats that may be approved by the Chairman once found to be in compliance with all regulations:

1. **Boundary Adjustment Plat:** The adjustment of property lines between two or more tracts, lots or parcels.
2. **Consolidation Plat:** The consolidation of two or more tracts, lots or parcels into one contiguous tract, lot or parcel.

3. **Plat of Correction:** The correction of certain drafting errors such as, but not limited to, notes, certifications, bearings, distances, etc. on a previously recorded plat.
4. **Minor Subdivision Plat:** As defined by the Subdivision Regulations and Zoning Regulations.
5. **Final Subdivision Plat:** As defined by the Subdivision Regulations.

(Amended 3-20-2012 & 4-15-2020)

SECTION 4

The chairman shall be one of the citizen-members of the Commission. He shall conduct business only for the benefit of the Commission involved and shall reflect no personal prejudice in any matter. If acting as executive director, he shall, under the direction of the Planning Commission, oversee and be responsible for the staff, consultants, and the overall operation of the Planning Commission. *(Amended 4-20-04)*

SECTION 5

The vice chairman shall assist the chairman in any way possible subject to the chairman's request. Upon the absence of the chairman, the vice chairman shall automatically become the presiding officer of the Commission.

SECTION 6

The duties of the secretary/treasurer are as follows: 1) to review records and minutes of each meeting or hearing of the Commission; 2) to sign with the chairman all orders on the treasury authorized by the Commission, unless otherwise specified by the chairman; and 3) other duties which the chairman may assign to him.

ARTICLE III

NOMINATION AND ELECTION OF OFFICERS

SECTION 1

Nominations of officers shall be made from the citizen-members at the annual organizational meeting, which shall be held on the third Tuesday in January each year. Nominations of citizen-members only shall be accepted. All officers shall be eligible for re-election at the expiration of their office.

SECTION 2

Election of officers shall take place immediately following nominations. Voting shall take place in one of the following ways: 1) voice; 2) show of hands; 3) rising; or 4) roll call.

SECTION 3

A candidate receiving a majority vote of the entire membership of the Planning Commission shall be declared elected and shall serve for a term of one (1) year or until his successor shall take office.

SECTION 4

Vacancies in unexpired terms of office shall be filled immediately by regular election procedures.

ARTICLE IV

MEMBERSHIP

SECTION 1

Vacancies due to resignation, removal or termination of membership, shall be filled within sixty (60) days by the appropriate appointing authority. After such vacancy occurs the Commission chairman shall immediately give the appropriate appointing authority written notice that the vacancy exists. Then such appointing authority will have sixty (60) days to fill the vacancy. If the appointing authority fails to do so, the Commission shall fill the vacancy using the same procedure it uses to elect its officers as set forth in ARTICLE III. When a vacancy occurs other than through expiration of the term of membership, it shall be filled for the remainder of that term.

ARTICLE V**MEETINGS****SECTION 1** *(Amended 3/17/2009)*

- (A) The Planning Commission shall hold at least six (6) regular meetings annually. All meetings shall be conducted in conformity with the provisions of KRS 61.805 et seq. (the "Open Meetings Law").
- (B) Meetings shall be held on the third Tuesday of the month at 6:30 P.M. at the Stratton Center or other appropriate meeting place.
- (C) The Planning Commission shall establish and adopt a schedule of regular meeting dates on an annual calendar prior to the next calendar year.

SECTION 2

A quorum is a simple majority (one over half) of the total membership of a Planning Commission as established by regulation or agreement. For the purpose of establishing a quorum, a member of a Planning Commission shall not be counted if he has any direct or indirect financial interest in the outcome of any question before the Commission.

SECTION 3

- (A) To transact any official business, a simple majority vote of all members present that constitute a quorum shall be necessary.
- (B) To adopt or amend the Commission's by-laws, a simple majority vote of the total required membership shall be necessary.
- (C) To adopt or amend elements of the Comprehensive Plan or regulations, a simple majority vote of the total required membership shall be necessary.

SECTION 4

Special meetings shall be held at the call of the chairman or a majority of the Planning Commission members. Written notice of special meetings shall be given by the Chairman or his/her designee to the Planning Commission members not less than seven (7) days prior to such special meetings and shall state the date, time, place and subject or subjects which shall be discussed. Written notice shall also be given to interested media organizations, and a notice posted at the Planning Commission office and meeting location in accordance with KRS 61.823(4). Any special meeting which will involve a public hearing must otherwise comply with all public notice requirements set forth in KRS 100, KRS 424, and Zoning and Subdivision Regulations for Shelby County. *(Amended 3/17/2009)*

SECTION 5

All meetings and hearings at which official action is taken shall be open to the general public.

ARTICLE VI

TRANSACTION OF BUSINESS

SECTION 1

Any member of a Planning Commission who has any financial interest in any question called to vote shall notify the Commission of such interest and thus disqualify himself from voting on the matter.

SECTION 2

Any member of a Planning Commission who fails to notify the Commission of his financial interest in a question called to vote, shall have his voting qualification judged by the Commission as to his amount of interest in the question and his right to vote on it.

SECTION 3

Any member of a Planning Commission found to have any direct or indirect financial interest in a question called to vote shall not be considered in the quorum count prior to voting.

SECTION 4

The legislative bodies represented in the Triple S Commission may appropriate, out of general revenues, for the expenses and accommodations necessary for the work of the Commission. The Commission has the right to receive, hold and spend funds which it may legally receive from every source both in and out of the Commonwealth of Kentucky, including the United States Government for the purpose of carrying out the objectives and purposes of the Triple S Planning Commission as set forth in Kentucky Revised Statutes, Chapter 100. An annual audit may be performed on all receipts, expenditures and funds on hand by an official of any city or county which is a member of the unit, or by an accountant, at the expense of that legislative bodies expense. The Commission shall file a financial statement with the legislative bodies at the end of each calendar year.

ARTICLE VII

EMPLOYEES

SECTION 1

The Commission may employ a clerk to assist the secretary/treasurer in the performance of his duties and perform such other duties as may be assigned by the chairman.

SECTION 2

The Commission may employ a staff, as deemed appropriate for proper operation and contract for planning and professional assistance to aid in the work of the Commission. Such employment shall be approved by a simple majority of the total required membership.

ARTICLE VIII

AMENDMENTS

SECTION 1

These by-laws may be amended by a vote of a simple majority of the total membership of the Commission.

ARTICLE IX

HEARINGS

SECTION 1

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

SECTION 2

Notice of such hearings shall be distributed to the “publication area” as defined in the Kentucky Revised Statutes 424.110. Notice shall be published in the local newspaper once a week for two consecutive weeks.

SECTION 3

The matter before the Commission may be presented in summary by the secretary/treasurer or a designated member of the Commission and parties in interest shall have privilege to the floor. No record or statement shall be recorded or sworn to as evidence for any court of law without notice to the parties.

SECTION 4

A record shall be kept of those speaking before the Commission by the secretary/treasurer.

SECTION 5

The Planning Commission may appoint one or more of its members to act as a hearing examiner or examiners.

ADOPTED BY:

Triple S Planning Commission

Chairman

Secretary/Treasurer

April 15, 2020

Date