

RESOLUTION OF COOPERATION
OF THE
WARREN COUNTY
REGIONAL PLANNING COMMISSION

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RESOLUTION OF COOPERATION

OF

THE WARREN COUNTY REGIONAL PLANNING COMMISSION

PREAMBLE

By virtue of the adoption of a Resolution of Cooperation by the Board of County Commissioners of Warren County and by the Planning Commission of municipalities and the Boards of Trustees of Townships within Warren County, Ohio, there has been created The Warren County Regional Planning Commission, vested with powers and duties given to regional planning commissions under the laws of the State of Ohio, particularly Revised Code 713.21 et. seq.

ARTICLE I

REGION

The region for which the Regional Planning Commission shall be created and maintained, shall be all of Warren County, exclusive of any territory within the limits of any municipality not agreeing to participate, as hereinafter set forth. In addition to the territorial limits of Warren County, this Region may include areas of adjacent counties which are contiguous and municipalities in said counties desiring to participate as hereinafter set forth. Upon adoption of this Resolution by the County Commissioners of an adjacent county or the Planning Commission of any municipality within the Region as defined, the territory of such county or municipality shall also become a part of the Region.

ARTICLE II

MEMBERSHIP OF THE COMMISSION

The Warren County Regional Planning Commission shall consist of the following members:

- A. The members of the Warren County Board of County Commissioners.
- B. One representative for each 5,000 persons, or fraction thereof, as determined by the last federal decennial or special census from each of the townships and municipal corporations cooperating in the maintenance of the Warren County Regional Planning Commission; provided, however, in no event shall any cooperating incorporated village or township have less than one representative to the Regional Planning Commission; no cooperating city shall have less than two nor more than five representatives to the Regional Planning Commission. In determining the number of representatives to represent the township, the populations of all municipalities within the township shall be excluded.
- C. All representatives of the Regional Planning Commission representing municipal corporations shall be designated by the Legislative Authority of said Municipal Corporation. Representatives need not be limited to elected officials of municipal corporations. Such members shall serve for such term as the local legislative authority shall elect and determine. This requirement shall apply to all municipalities within the Region as hereinabove defined. Such representative may be represented by an alternate whom shall be designated by the Legislative Authority of said Municipal Corporation. Only one alternate shall be designated for each representative for each membership year.
- D. All representatives of the Regional Planning Commission representing townships shall be designated by the Board of Trustees of said Township. Representatives need not be limited to elected officials of the Townships. Such members shall serve for such term as the Township trustees shall elect and determine. Such representative may be represented by an alternate who shall be designated by the township trustees. Only one alternate shall be designated for each representative for each membership year.
- E. One representative for each 10,000 persons, or fraction thereof, shall be appointed by the Board of County Commissioners of any adjacent county for that portion of maintenance of the Regional Planning Commission according to the terms of the Resolution. For purposes of determining appointments of members, only persons residing in the participating unincorporated area of adjacent counties shall be included. Members representing adjacent counties shall be residents outside of the territory of any municipal corporation.
- F. Any vacancy occurring among the municipal, township or county representatives shall be filled for the unexpired term in the manner in which the said members was originally chosen.
- G. The Warren County Engineer, the Warren County Sanitary Engineer, the Warren County Agricultural Extension Agent, and the Warren County Health Commissioner, or their designated representatives.

- H. One representative selected by the governing board of the following organizations: Warren County Soil and Water Conservation District, Warren County Board of Education, Warren County Park District, Warren Metropolitan Housing Authority and the Warren County-Wide Disaster Service Organization. Such representatives shall serve for such term as the governing board shall elect and determine. Such representative may be represented by an alternate. Only one alternate shall be designated for each representative for each membership year.

- I. One individual, designated by the Warren County Engineer and approved by the Regional Planning Commission Executive Committee, who has specialized knowledge, skill, experience, training or education in the field of storm sewer design, storm water management, storm water quantity control, and storm water quality control.

ARTICLE III

POWERS AND DUTIES OF THE COMMISSION

- A. The Warren County Regional planning Commission shall have the power and duty to make the studies, plans, maps and other reports of the Region showing the Regional Planning Commission's recommendations for systems of transportation, highways, park and recreational facilities, the water supply, sewage disposal and sewerage, 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 subdivision within the Region, and which do not begin and terminate within the boundaries of any single municipal corporation.

Said plans or maps may be changed, supplemented, or abolished from time to time at the discretion of the Regional Planning Commission, but no plans or maps shall be adopted, changed, supplemented or abolished prior to a public hearing thereon.

- B. The Regional Planning Commission may undertake for any cooperating municipality or any township or county of the region, the study, planning, mapping, and reports involving the use of land within the boundaries of such municipality or township and involving a planning or zoning project which is particularly or directly applicable. The cost of such shall be paid by the municipality of township or county in such manner and amount as may be agreed upon between the executive committee of the Regional Planning Commission and the legislative authority of such municipality or township or county. Any study, planning, mapping, or other reports undertaken shall be advisory to, and subject to adoption by such municipality, or township or county.
- C. Said Regional Planning Commission shall have all other powers and duties now or hereafter provided by law for Regional Planning Commissions.
- D. The Warren County Regional Planning Commission (RPC) shall have the power and duty to charge and collect fees for submittal of applications required to be filed and processed for review and recommendation by the RPC, in addition to the per capita assessment required of member jurisdictions, as determined in accordance with provisions specified in Article VI (Financial Provisions) of these bylaws. Likewise, the setting of the fee to be charged and collected for making and selling copies of RPC or other documents is also included.

ARTICLE IV

OFFICERS AND COMMITTEES OF THE COMMISSION

- A. Chairman and Vice-Chairman: A Chairman and Vice-Chairman shall be elected by the Warren County Regional Planning Commission at its regular meeting each year and shall hold office until the regular meeting in April next after the election and until his successor is elected and qualified. It shall be the duty of the Chairman to serve as the principal executive officer of the Regional Planning Commission, to conduct its meetings, execute contracts, be an ex-officio member of the committees, and to perform such other duties as the Regional Planning Commission shall from time to time direct. It shall be the duty of the Vice-Chairman to assist the Chairman and to serve in his absence and to perform such other duties as the Regional Planning Commission shall from time to time direct. In case the Chairman and Vice-Chairman are absent or unable to perform their duties, the Regional Planning Commission or the Executive Committee may appoint a Chairman Pro-tempore.
- B. Treasurer: The Regional Planning Commission shall at its regular April meeting of each year shall elect a Treasurer who shall hold office until the regular meeting in April next after his election and until his successor is elected and qualified. The Treasurer shall be the fiscal officer of the Regional Planning Commission and shall serve as Chairman of the Budget and Finance Committee.
- C. Secretary: The Regional Planning Commission shall at its regular April meeting of each year shall elect a Secretary, who may be, but not need be, a member of the Regional Planning Commission. The Secretary shall hold office until the regular meeting in April next, after his election and until his successor is elected and qualified. It shall be the duty of the Secretary to keep a full record of the proceedings of the Regional Planning Commission and he shall perform such other duties as the Regional Planning Commission shall from time to time direct.
- D. Executive Committee:
1. The Executive Committee of the Warren County Regional Planning Commission shall consist of seventeen (17) to twenty (20) members, as follows:
 - The Chairman of the Regional Planning Commission;
 - The Vice-Chairman of the Regional Planning Commission;
 - The Treasurer of the Regional Planning Commission;
 - The Secretary of the Regional Planning Commission if a member of the Regional Planning Commission;
- and fourteen (14) to seventeen (17) members of the Regional Planning Commission who shall be elected from their number at its regular April meeting following the election of officers so that the Executive Committee contains:
- Two (2) members of the Warren County Board of County Commissioners;

- Five (5) to six (6) representatives of municipalities (at least two (2) of which shall be city representatives and at least two (2) of which shall be village representatives;
- Five (5) to seven (7) representatives of townships;
- One (1) representative selected from the representatives of the governing boards as listed in paragraph H of Article II of this Resolution; and
- One (1) individual designated by the Warren County Engineer's Office and approved by the Regional Planning Commission Executive Committee as listed in paragraph I of Article II of this Resolution.

and as provided for in paragraph G of Article II of this Resolution:

- The Warren County Engineer;
 - The Warren County Sanitary Engineer; and
 - The Warren County Health Commissioner.
2. The number of township representatives shall be greater than or equal to the number of municipal representatives.
 3. In the event that a municipality changes status from a city to a village or from a village to a city, the representative (and alternate) of such municipality on the Executive Committee shall remain, except as provided for in D 6 through 7 of this section.
 4. A representative's alternate shall be permitted to serve on the Executive Committee and vote in the event of their absence.
 5. To be considered for a position on the Executive Committee, an application letter shall be submitted to the RPC Executive Director. The deadline to submit the application letter is two weeks (14 calendar days) prior to the regular April meeting. If the Executive Committee denies the request, a new application letter is required for future consideration at the next regular April meeting.
 6. Each member of the Executive Committee shall serve until the next regular April meeting and until his successor is chosen and qualified; provided however, that in the event a vacancy occurs in such Committee by resignation, disqualification, or otherwise, it shall be filled by appointment by the members of the Executive Committee for the unexpired term.
 7. If any member of the Executive Committee is absent for three consecutive regular or special meetings, he/she 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 Executive Committee.
 8. All the powers and duties of the Warren County Regional Planning Commission, except as otherwise provided by the terms of this Resolution of Cooperation shall be possessed and exercised by the Executive Committee.

9. The Executive Committee shall report its actions to the members of the Regional Planning Commission no later than the next meeting of the Regional Planning Commission or within thirty days from the date of the action whichever is earlier.
- E. Special Committees: The Regional Planning Commission at its first meeting following election and at any regular or special meeting thereafter shall appoint for each public improvement which it proposes to study, a special committee which shall include, but need not be limited to, one member from each cooperating municipality and/or township in which any part of such improvement is proposed to be situated. The Regional Planning Commission may from time to time appoint such other special committees as it shall determine. The chairman and members of each committee shall serve for one year terms and until their successors are chosen. In the event of a vacancy in any committee by resignation, disqualification, or otherwise, it shall be filled by appointment by the Chairman of the Regional Planning Commission subject to confirmation by the Regional Planning Commission. Committees shall have such powers and duties as the Regional Planning Commission shall determine and direct. A Budget Committee established by the RPC shall, in part, review and give recommendation to the RPC on any matter brought to it by the RPC Executive Director involving RPC applications filing fees, document copy charges, membership dues, operating expenses and financing budget of the RPC. The budget committee shall have the power to approve line item transfers for the annual budget throughout the year by calling or emailing their vote; however supplements to the budget require board approval.
- F. Nominations: On or before February 1 in each year, the Chairman shall appoint a nominating committee of three (3) members of the Regional Planning Commission, which committee shall prepare a list of nominations selected from among the members of the Commission for its officers excepting that the Secretary need not be a member of the Commission. Such list shall be mailed to each member of the Regional Planning Commission at least ten (10) days prior the regular meeting in April. Additional nominations may be made by petition signed by at least three (3) members of the Regional Planning Commission provided such petition is received by the Secretary at least one (1) day prior to such regular meeting.
- G. Vacancy: If an executive office shall become vacant by reason of death, resignation, disqualification, or any other cause, the Regional Planning Commission may elect a successor to hold office for the unexpired term in which such vacancy occurred or was created.
- H. Compensation: Members of the Regional Planning Commission shall serve without pay except for payment of actual expenses incurred in performance of his duties, subject to approval of the Executive Committee.

ARTICLE V

MEETINGS

- A. Meetings of the Commission: The Warren County Regional Planning Commission shall hold at least fourteen regularly scheduled meetings during each calendar year; and unless otherwise directed by vote of the Regional Planning Commission one meeting each shall be held during the months of January, April, July and October on the second Tuesday of the month at 5:30 P.M. at its regular place of business. The regular meeting in April shall constitute the annual meeting of the Regional Planning Commission for the election of officers and Executive Committee and for organizational purposes. Special meetings may be called by the Chairman or by any three (3) members for any purpose of the Regional Planning Commission. The Secretary shall mail, email or deliver written notice of each regular or special meeting to each member of the Commission not less than seven (7) days prior to each meeting. Except that twenty-four (24) hours notice shall be required for special meetings called to discuss personnel or pending litigation in executive session. Notices of special meetings shall state the purpose for which such meeting is called.
- B. Meetings of the Executive Committee: The Executive Committee shall provide by its own rule for any regular or special meetings it may deem necessary which shall include one regular meeting each calendar month. Unless otherwise directed by vote of the Executive Committee said meeting shall be held on the fourth Thursday of each month at 1:00 P.M. at its regular place of business.
- C. At any meeting of the Warren County Regional Planning Commission, a quorum shall consist of not less than twenty (20%) percent of the voting members. The members present at a duly organized meeting may continue to do business until adjournment, notwithstanding the withdrawal of enough members to leave less than a quorum.
1. At any meeting of the Executive Committee a quorum shall consist of not less than nine (9) members. The members present at a duly organized meeting may continue to do business until adjournment, notwithstanding the withdrawal of enough members to leave less than a quorum.
 2. At any meeting of the Regional Planning Commission or Executive Committee if a quorum shall not be present and if the Chairman or in his absence the Vice-chairman deems action necessary on any such matter before the meeting, and if approved by the unanimous vote of not less than a majority of a quorum, including therein the vote of the presiding officer, such vote shall be taken as and for the action of the Regional Planning Commission or Executive Committee.
- D. Voting: All actions of the Regional Planning Commission or Executive Committee shall be made 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 member. Members may be excused from voting on Regional Planning Commission matters if in another official capacity they will be required to make the final decision on the matter. Email voting is allowed for administrative matters.

- E. All actions of the Regional Planning Commission and the Executive Committee shall require a majority vote of those present at any duly called meeting at which a quorum was present except as otherwise provided for in paragraph C of Article V of this Resolution.

ARTICLE VI

FINANCIAL PROVISIONS

- A. Apportionment of Cost: The cost of maintaining financing of the Warren County Regional Planning Commission shall be apportioned in the following manner:
1. Membership Dues: Each municipality and township cooperating herein shall contribute in each calendar year such sum as shall be determined and appropriated by the legislative authority of the respective municipality or township, but in no event less than thirteen (13) cents per capita in each calendar year, excepting the 2018 and 2019 calendar years which shall be no less than eleven (11) cents and no less than twelve (12) cents respectively, for each person residing in the said municipality or township according to the last federal decennial or special census, or more recent inter-census population estimate issued by the Ohio Development Services Agency (ODSA) or U.S. Census Bureau. In the event the municipality is a part of a township, the township shall make payment for the area outside of the municipality. Such contribution shall be paid in January of each year.
 2. Other Outside Sources: The Regional Planning Commission may accept, receive and expend funds, grants and services from the Federal Government or its agencies, from department, agencies and instrumentality's of state or local government or from civic sources, contract with respect thereto, and provide such information and reports as may be necessary to secure such financial aid.
 3. Applications Fees and Copy Charges:
 - a. The Regional Planning Commission (RPC) may charge and collect fees for the filing and processing of applications required to be submitted for review and recommendation by the RPC. The amount of the fee for each type of application and copy charge for documents shall be established by a resolution of the RPC as voted on in accordance with provisions in Article V (Meetings), following deliberation in consideration of the recommendations so regarding put forward by the RPC Executive Director and the RPC Budget Committee.
 - b. No action shall be taken on any application or appeal until all applicable fees, charges, and expenses have been paid in full, except as follows;
 - i. PUD Stage 2 Preliminary Site Plans that contain 2,000 or more dwelling units may utilize a special circumstance schedule of payment.
 - ii. The special circumstance schedule shall require an initial fee of 10% of the total review fee. This initial fee will be credited towards the total review fee for the last remaining units to be developed.
 - iii. Remaining fees under the special circumstance schedule shall be paid in increments (incremental fees) calculated based on the number of dwellings and the number of acres of non-residential use that are within the area submitted for Preliminary Plan review. Incremental fees are due upon

submittal for Preliminary Plan review and are in addition to the Preliminary Plan per-lot and/or per acre fees. The most current fee schedule at the time of each application shall apply.

- iv. Fees for any subsequent amendments to PUD Stage 2 plans shall be paid at the time of application in accordance with the most current fee schedule.
4. The remainder of such cost shall be paid by the Boards of County Commissioners of the cooperating counties as follows:
- a. Warren County shall provide in each calendar year such sum as shall be determined and appropriated by the County Commissioners of said County. In no event shall such contribution be less than thirty-five (35) cents for each person residing in Warren County according to the last federal decennial census in each calendar year; and such contribution shall be paid in January of each year.
 - b. The Board of County Commissioners of any other cooperating county will provide such amount as is agreed upon between said board and the Regional Planning Commission.
5. The provisions of this section may be complied with by appropriations, passage of a levy, or other legal means.
- B. Appropriation: The Regional Planning Commission shall at its last regular meeting each year make appropriation for its expenses for the following year, which appropriation may be modified or supplemented from time to time during the year by the Regional Planning Commission or the Executive Committee, but shall at no time exceed the total amount received or due from cooperating municipality, county governments, public agencies or from other sources. The amount of contribution required by this Resolution may be changed at any meeting of the Regional Planning Commission and on a prorated basis; provided, however, no change in the amount of contribution from participating members shall become effective unless upon approval of the legislative authority of the cooperating municipality and township and approval of the Board of County Commissions of cooperating county (or counties).

ARTICLE VII

EMPLOYEES

The Regional Planning Commission may authorize the employment of a professional director, and such engineers, accountants, and others as may be necessary and may fix their compensation. When so authorized, the director shall be selected by the Executive Committee. Other employees shall be selected by the Executive Director and their employment and compensation with the agency shall be approved by the Executive Committee.

ARTICLE VIII

WITHDRAWAL

The Planning Commission of any cooperating municipality or the legislative authority of any County or Township may withdraw their cooperation hereof at any time by adopting a Resolution to do so and delivering a certified copy thereof to the Secretary of the Regional Planning Commission. Such withdrawal shall not relieve the withdrawing party of such contribution of its share of cost for the year in which the withdrawal occurs, nor shall it withdraw for that year the party's territory from the Region.

ARTICLE IX

AMENDMENT

Any article of this Resolution of Cooperation may be amended, added, or deleted in accordance with the following procedure:

- A. An amendment may be proposed by the Executive Committee or by any three members of the Regional Planning Commission, to be considered at the next regular meeting or at a special called meeting. The text of the proposed amendment shall be delivered to the Secretary at least ten (10) days in advance of the regular or special meeting. The Secretary shall, at least seven (7) days before such regular or special meeting, furnish each member of the Regional Planning Commission with a copy of the proposed amendment, together with a notice of the meeting.
- B. The proposed amendment shall be presented at the next regular or special meeting, when called for that purpose. The amendment shall become a part of the Resolution of Cooperation when adopted by the Regional Planning Commission.

ARTICLE X

EFFECTIVE DATE

These terms of cooperation shall take effect on January 1, 1971 provided that prior thereto they shall be agreed to by the County Commissioners of Warren County and the Planning Commission of the City of _____.

**RESOLUTION BY COUNTY COMMISSIONERS TO ACCEPT THE
RESOLUTION OF COOPERATION FOR A
COUNTY REGIONAL PLANNING COMMISSION**

BE IT RESOLVED, by the Board of County Commissioners of Warren County, Ohio:

SECTION 1: That the Board of County Commissioners of Warren County, Ohio, hereby approves, adopts and ratifies the RESOLUTION OF COOPERATION hereinabove set forth and agrees to participate in, become a part of, and cooperate for the establishment of the Warren County Regional Planning Commission in accordance with and pursuant to the terms, conditions and stipulations of said Resolution of Cooperation.

SECTION 2: That the Board of County Commissioners of Warren County, Ohio, hereby dissolves the Warren County Planning Commission and approves the transfer of all records of said Commission to the Warren County Regional Planning Commission, effective immediately upon creation of the Warren County Regional Planning Commission.

SECTION 3: That these Resolutions take effect and be in force from and after the earliest period allowed by law.

BOARD OF COUNTY COMMISSIONERS

PASSED _____

ATTEST _____

**RESOLUTION BY CITY OR VILLAGE TO ACCEPT THE RESOLUTION
OF COOPERATION FOR WARREN
COUNTY REGIONAL PLANNING COMMISSION**

BE IT RESOLVED, by the Planning Commission of the City or Village of _____, Ohio.

That this body determines to cooperate with the County Commissioners of Warren County, Ohio and the Planning Commissions of all municipalities located in said County or in areas in such adjacent territory, as may from time to time similarly cooperate, in the creation and maintenance of a Regional Planning Commission, on the terms and conditions hereinabove set forth.

PLANNING COMMISSION _____, OHIO
City/Village

By _____ Chairman

Attest _____ Secretary

Effective Date: _____

**RESOLUTION BY A TOWNSHIP TO ACCEPT THE RESOLUTION
OF COOPERATION FOR WARREN COUNTY
REGIONAL PLANNING COMMISSION**

BE IT RESOLVED, by the Trustees of _____ Township, Warren County,
Ohio:

That this body determines to cooperate with the County Commissioners of Warren County,
Ohio and the Planning Commission of all municipalities located in said county or in areas in
such adjacent territory, as may from time to time similarly cooperate in the creation and
maintenance of a Regional Planning Commission, on the terms and conditions hereinabove
set forth.

Trustees of _____ Township, Warren County, Ohio

By _____ Chairman

Attest _____ Clerk

Effective Date _____

#70-189

**RESOLUTION BY COUNTY COMMISSIONERS TO ACCEPT
THE RESOLUTION OF COOPERATION FOR A
COUNTY REGIONAL PLANNING COMMISSION**

BE IT RESOLVED, by the Board of County Commissioners of Warren County, Ohio.

SECTION 1: That the Board of County Commissioners of Warren County, Ohio, hereby approves, adopts and ratifies the RESOLUTION OF COOPERATION hereinabove set forth and agrees to participate in, become a part of, and cooperate for the establishment of the Warren County Regional Planning Commission in accordance with and pursuant to the terms, conditions and stipulations of said Resolution of Cooperation.

SECTION 2: That the Board of County Commissioners of Warren County, Ohio hereby dissolves the Warren County Planning Commission and approves the transfer of all records of said Commission to the Warren County Regional Planning Commission, effective immediately upon creation of the Warren County Regional Planning Commission.

SECTION 3: The effective date for payment of annual contribution shall be January, 1971.

SECTION 4: That these Resolutions take effect and be in force from and after the earliest period allowed by law.

BOARD OF COUNTY COMMISSIONERS

s/s Robert K. South

s/s Harry D. Cornett

s/s Arthur Harp

PASSED _____

ATTEST s/s Alyce M. Overbey

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