BY-LAWS OF

THE

MARSHALL COUNTY, TENNESSEE, REGIONAL PLANNING COMMISSION

ARTICLE I

OBJECTIVE

The objectives and purposes of the Marshall County, Tennessee, Regional Planning Commission shall be as set forth in Sections 13-3-103-105 and 13-3-401-411 of the Tennessee Code, and amendments and supplements thereto, and those powers and duties delegated to the Planning Commission by the County Court by Ordinance on May 16, 1966, in accordance with the above-mentioned enabling law.

ARTICLE 11

GENERAL PROVISIONS

Section 1. Office and Records of the Commission

The office and meeting place of the Commission shall be the Office of the County Executive and the Marshall County Courthouse Annex respectively. The records of the Commission shall be kept in the Office of the Marshall County Building Codes and Zoning in the Marshall County Admin Building and shall be available for public inspection. A record of the business conducted at the Commission's meeting shall be kept in a Journal of Proceedings which shall record the names of the Commissioners present or absent, the names of all persons speaking, the business conducted, and the vote or abstention of all Commissioners on any item of business on which a vote is taken.

Section 2. Membership

The membership of this Commission shall consist of seven (7) members and shall conform with Section 13-3-101 of the Tennessee Code. Any member missing three (3) consecutive meetings without a valid reason shall be asked to resign.

ARTICLE III

OFFICERS AND THEIR DUTIES

Section 1. Officers

The officers of the Planning Commission shall consist of a Chairman, Vice-Chairman and a Secretary.

Section 2. Elections

The election of officers shall be held at the annual organizational meeting to be held in January of each year.

All elected officers shall serve for a term of one (1) year and shall be eligible for re-election. The procedures for the election of officers are as follows:

(a) The election meeting shall be presided over by the Staff Representative of the Local Planning Assistance Office acting as Chairman Pro-Tern.

(b) Nominations shall be made from the floor.

(c) The candidate for each office receiving a majority vote of the entire membership shall be declared elected.

(c) All vacancies in offices shall be filled immediately for the unexpired term of regular election procedure.

Section 3. Chairman

The Chairman shall preside at all meetings and hearings of the Planning Commission and have the duties normally conferred by the parliamentary usage on such officers. The Chairman shall have the privilege of discussing all matters before the Planning Commission and to vote thereon.

Section 4. Vice-Chairman

The Vice-Chairman shall act for the Chairman in his or her absence.

Section S. Secretary

The Secretary and/or staff shall keep a full record of all proceedings of the Commission, Including minutes, and votes in a Journal of Proceedings. The Secretary shall work with the Secretary to the County Executive, and the Chairman in the preparation of the agenda for regular and special meetings, provide notice of meetings to Planning Commission members, arrange proper legal notice of hearings, attend to correspondence of the Commission, and such other duties as are normally carried out by a secretary. In addition, the Secretary shall serve as Chairman of the Commission in the absence of both the Chairman and Vice-Chairman.

ARTICLE IV

MEETINGS

Section 1. Annual Organizational Meeting

The annual organizational meeting of the Commission shall beat the regular January meeting for the purpose of electing officers.

Section 2. Regular Meetings

The regular meetings shall be held on the third Tuesday of every month at the Marshall County Courthouse Annex.

Section 3.

All meetings at which official action is taken shall be open to the general public, and public notice of no less than five (5) days shall be given of the date, time, and place of these meetings. All members of the Commission shall be notified in writing by the Secretary of the County Executive of the time, place, and agenda of each meeting no less than five (5) days in advance of such meeting. All agenda matters must be submitted fifteen (15) days before the scheduled meeting date.

Section 4. Quorum

A quorum for the transaction of business shall be a majority of the members of the Commission. A majority vote of the Commission shall be a majority vote of the total Commission members present.

Section S. Voting

The voting on all questions coming before the Commission shall be ayes and nays, and unanimous votes and abstentions shall be entered upon the record of such meeting. The concurring vote of a majority of those present shall be required to take final action on any motion before the Commission. The Chairman shall not vote except in the case of a tie, or to make a majority of at least four (4).

Section 6. Conflict of Interests

Should any Commissioner consider his or her personal interest involved in any matter before the Commission for a vote, it shall be her/his duty to disclose such conflict of interests and to abstain from voting on the particular matter.

Section 7. Speakers

The applicant will have a maximum of thirty (30) minutes to speak. Supporters of the applicant may each speak for up to three (3) minutes, with the total for all supporters and applicant not exceeding the thirty-minute maximum limit.

Public comments from others will also be limited to a total of thirty (30) minutes, with each person allowed a maximum of three (3) minutes to speak.

The tolerance of repetitive comments shall be at the discretion of the Chairman.

Section 8. Public Comments Sign...ln.

Those wanting to speak at a Marshall County Planning Commission meeting must sign up before the start of the meeting and inform the Chairman.

ARTICLEV

ORDER OF BUSINESS

The order of business at regular meetings shallbe:

(a) Roll call
(b) Readings and approval of minutes of the previous meeting
(c) Public Comments
(d) New business
(e) Directors report
(f) Adjournment

ARTICLE VI

COMMITTEES

Special committees may be appointed by the Chairman for purposes and terms which the Planning Commission approves.

ARTICLE VII

EMPLOYEES

Section 1.

The Planning Commission may appoint such employees and staff as it may deem necessary for its work and may contract with planners and other consultants for such services as it may require within its economic limits

Section 2.

The expenditures of the Commission, exclusive of gifts, shallbe within the amounts appropriated for the purpose by the Marshall County Board of Commissioners.

ARTICLE VII

HEARINGS

Section 1.

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

Section 2.

Notice of such hearings shall be published in a newspaper of general circulation within the County of Marshall at least fifteen (15) days prior to the date of such public hearing.

Section 3.

The case before the Planning Commission shall be presented in summary by Chairman of the Planning Commission or at the discretion of the chairman the Marshall County Building Codes and Zoning Director and parties in interest shall have privilege of the floor being they have adhered to the public comments sign in requirements of these bylaws. No 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.

ARTICLE IX

AMENDMENTS

These By-Laws may be amended by a majority vote of the members present of the Planning Commission at a regular or special meeting with at least five (5) days' notice given thereof.

Amended and adopted by the Marshall County Regional Planning Commission on this 21st day of January 2025.

Planning Commission Chairman