

BY-LAWS

GASTON COUNTY PLANNING BOARD

ARTICLE 1

Purpose

The Board of Commissioners created the Gaston County Planning Board on December 15, 1977, to serve as a general advisory board to the Commissioners in planning and land use related matters.

The Planning Board aims to serve as an advisory Board to the elected Board of Commissioners, and provide comprehensive, technical advice to the Commissioners on an array of land use, development, growth, and other related issues.

General Rules

The Planning Board is governed by N.C. General Statutes § 160D-301 and by the terms of the Gaston County Planning Ordinance enacted December 15, 1977, as amended.

ARTICLE 2

Structure

The Planning Board shall consist of ten (10) members, seven (7) members representing the townships in the same manner as the Board of Commissioners, one member from the Home Builder's Association, one member from the Conservation District Board, and one member from the Gaston County Board of Education.

Appointment and Term of Office

The Board of Commissioners makes all appointments to the Planning Board. Nominations for township appointments are made by the Commissioner serving from the township, with appointments made by the full Board of Commissioners. The township appointee shall reside in the same township as the appointing Commissioner unless an appointee residing in that township cannot be found within 60-days. Nominations for the Home Builders Association, Conservation District Board, and the Gaston County Board of Education positions are made by the respective organization's board, with appointments made by the Board of Commissioners.

Township appointees serve a three-year term, with the Home Builders Association, Conservation District Board, and Board of Education representative serving at the pleasure of the respective board. Should a vacancy occur during a term of office, the Chairman of the Planning Board shall notify the Board of Commissioners, in accordance with their current policy for filling appointments, requesting the appointment of a person to fill the vacant position. The new appointment shall be appointed to fill the unexpired term of the vacancy, and then would be eligible for reappointment to the Board.

All Planning Board members are required to be sworn in by taking the Oath of Office.

Attendance

It is essential for the proper operation of the Planning Board and the conducting of its business that members attend on a regular basis, so that the Board of Commissioners can make decisions from a broad and diverse base. Members who miss three (3) meetings in succession or maintain an attendance level of 60% per calendar year will be requested to resign from the Board. Upon attaining either of the aforementioned levels of non-attendance, the Chairman shall forward a letter to the member requesting a letter of resignation or mitigating circumstances that have not allowed the member to attend. In the case of sickness or occurrences beyond the member's control, the Board may waive the attendance rule on an individual basis. Upon receipt of the letter of resignation, no response from the member or need for another member, the Chairman shall follow the procedure for filling vacancies.

ARTICLE 3

Officers

The Planning Board shall elect a Chairman and Vice Chairman during its January meeting. The officers shall serve a one-year term, with reappointment to the office at the Planning Board's pleasure. Should the Chairman be unable to complete the term of office, the Vice Chairman shall assume the Chair's role and complete the term of office. The Planning Board shall then elect a new person to fill the remaining term of the Vice Chairman. Should the Vice Chairman's position become vacant during the term of office, the Board will elect another person to fill the remaining term of office.

The Planning Director or their designee shall serve as the recording secretary for the Planning Board.

In the event that both the Chairman and Vice Chairman are absent from the same meeting, the Board shall then elect from its membership, a Chairman to preside at the meeting.

Duties

Chairman: The Chairman shall preside at all meetings and public hearings of the Planning Board; shall decide on all matters of order and procedure; shall speak for the Board regarding Board actions, policies, and recommendations; shall appoint any committees found necessary to investigate any matters before the Planning Board or to perform any of its duties; shall authorize special meetings of the Board; and shall have authority to cancel regular meetings pending no business to be considered.

Vice-Chairman: The vice-chairman shall assume the duties of the Chairman in his absence.

Recording Secretary: The secretary shall keep the minutes of the Planning Board, shall send out public notices of regular meetings of the Planning Board within a reasonable time in advance of the meetings, shall give 48-hour phone notice of special meetings, carry on routine correspondence, and maintain the files of the Board.

ARTICLE 4

Meetings

Regular Meetings: The Planning Board shall meet on a monthly basis, on the first Monday of each month beginning at 6:00 PM in the Gaston County Administration Building. The meeting date, time, and location

may be changed by the Board, with the Chairman having authority to change with adequate notice to the Board members.

Special Meetings: Special meetings of the Planning Board may be called at any time by the Chairman, provided that at least 48 hours' notice is given to each member, and sunshine list notification requirements under State and local laws, policies, and ordinances. A special meeting shall be held to consider one or more specific items which would need action prior to a regularly scheduled Board meeting. A special meeting is not intended to take the place of a regular meeting.

Cancellation of Meetings: Whenever there is no business for the Planning Board, the Chairman may cancel a regular meeting by giving notice to all members at least 48 hours prior to the time set for the meeting, and sunshine list notification requirements under State and local laws, policies, or ordinances.

Recess of Meeting: In the event the Planning Board finds it necessary to continue a meeting to complete the agenda, the Board may recess the meeting to a certain time and place. This recessed meeting shall only consider items that were on the original agenda. No new business shall be conducted during a recessed meeting. Recessed meeting notification shall follow the State and County policy for Open Meetings Law.

Quorum

Unless otherwise required by Federal, State, or local ordinance, laws, or policies, the quorum shall be a simple majority of the voting members of the Planning Board. At any time when the membership is less than the required quorum, the Board shall not be able to conduct business or take action. Items not considered by the Board shall be carried over to the next regularly scheduled meeting, or to a special meeting scheduled under these bylaws.

Unless otherwise specified by Federal, State, or local law, ordinance, or policy, matters will be determined by a simple majority of the voting members present at the meeting, provided that a quorum has been maintained.

Conduct of Meetings

All meetings shall be open and accessible to the general public. The order of business at regular meetings shall be as follows:

1. Call to order
2. Consideration of minutes of previous meeting(s)
3. New Business: Consideration of zoning matters/requests
4. Other Matters
5. Summary of Past Cases
6. Adjournment

The Board may change the order of the agenda items during the meeting and add/or delete agenda items as it sees necessary.

The Board will follow the general procedures outlined in Roberts Rules of Order for the general conduct of the meeting. During the meeting the Chair will rule on all points of order, with all questions concerning items reviewed by the Board being addressed to the Chairman during the meeting.

ARTICLE 5

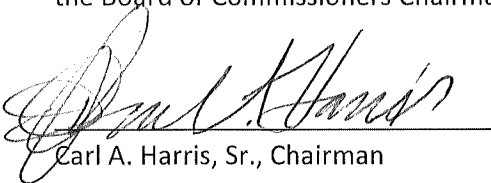
Records

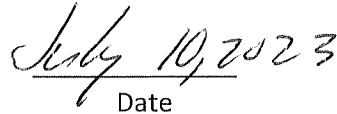
The recording secretary shall maintain a copy of the official minutes of the Planning Board, which are public record and open to public inspection in accordance with the Open Meeting Law and County Policy. In addition, the recording secretary or appropriate staff shall maintain, as a part of the project files, all studies, plans, reports, and recommendations provided to the Board as evidence in a matter, along with actions made by the Planning Board in the discharge of its duties and responsibilities.

ARTICLE 6

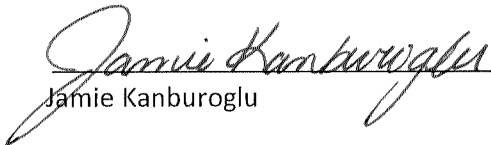
Change of By-Laws

Changes or amendments to the by-laws of the Planning Board shall require an affirmative vote of three-fourths (3/4) of the voting members of the Board. Upon change of the Planning Board's by-laws, notice shall be provided to the Clerk of the Board of Commissioners. Proposed changes to the by-laws shall be submitted for approval on the Consent Agenda at a regular meeting of the Board of Commissioners, with the Board of Commissioners Chairman serving as the Board Action sponsor.


Carl A. Harris, Sr., Chairman


Date

I, Jamie Kanburoglu, Director of Planning and Zoning in the role of Recording Secretary of the Gaston County Planning Board, do hereby certify that the above is a true and accurate copy of the By-Laws of the Gaston County Planning Board as approved on the 10th day of July 2023.


Jamie Kanburoglu


Date

Certification

I, Donna S. Buff, Clerk to the Gaston County Board of Commissioners, do hereby certify that the above is a true and correct copy of action taken by the Gaston County Board of Commissioners during its rescheduled meeting of July 27, 2023.


Donna S. Buff, Clerk to the Board

Adopted:



Gaston County

Gaston County
Board of Commissioners
www.gastongov.com

Building and Development Services Board Action

File #: 23-305

Commissioner Brown - Building & Development Services - To Amend the By-Laws of the Planning Board to Better Represent Current Processes and Procedures for the Board

STAFF CONTACT

Jamie Kanburoglu - Director of Planning and Zoning - 704-862-5510

BACKGROUND

Staff requested that the Planning Board review and amend their by-laws to better represent current processes and procedures. Planning Board members were asked to review the proposed edits at their July 10th meeting, and they unanimously recommended approval of the amendments to the by-laws as presented.

ATTACHMENTS

Resolution, Planning Board By-Laws

DO NOT TYPE BELOW THIS LINE

I, Donna S. Buff, Clerk to the County Commission, do hereby certify that the above is a true and correct copy of action taken by the Board of Commissioners as follows:

NO.	DATE	M1	M2	CBrown	CCloninger	AFraley	BHovis	KJohnson	TKeigher	RWorley	Vote
2023-227	07/27/2023	BH	AF	A	A	A	A	A	A	A	U

DISTRIBUTION:

Laserfiche Users

A=AYE, N=NAY, AB=ABSENT, ABS=ABSTAIN, U=UNANIMOUS