

**RESOLUTION 2019-25**

The Keith County Board of Commissioners (hereinafter County Board), in regular session assembled at the Keith County Courthouse in Ogallala, Nebraska, hereby resolve as follows:

WHEREAS: The Keith County Planning Commission has official By-Laws for the membership and conduct of meetings and hearings; and

WHEREAS: The Keith County Planning Commission in periodic review of these same By-Laws found cause for addition and change; and

WHEREAS: The Keith County Planning Commission By-Laws may be amended by two-thirds vote of the entire membership of the Commission; and

WHEREAS: The Keith County Planning Commission did by roll call vote, recommend approval to the County Board in a 7-0 vote in favor of, (two members absent); and

WHEREAS: The Keith County Planning Commission has determined the need to amend and update the Keith County Planning Commission By-Laws, and after due notice in the official county newspaper, did hold a public hearing on March 14, 2019 in the Keith County Courthouse; and

WHEREAS: The Keith County Planning Commission has recommended to the County Board an amendment to the Keith County Planning Commission By-Laws as reflected in attached Exhibit A; and

WHEREAS: The County Board after due notice in the official county newspaper, did hold a public hearing on April 3, 2019 on the recommended amendment to the Keith County Planning Commission By-Laws; and

NOW THEREFORE:

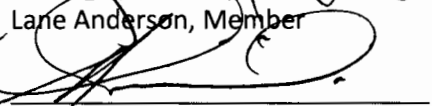
BE IT RESOLVED, that The Keith County Board of Commissioners hereby approves an updated version of the Keith County Planning Commission By-Laws as reflected in attached Exhibit A.

INTRODUCED AND PASSED THIS 3<sup>RD</sup> DAY OF APRIL, 2019

**KEITH COUNTY NEBRASKA  
BOARD OF COMMISSIONERS**

  
\_\_\_\_\_  
Kim Elder, Chairman

  
\_\_\_\_\_  
Lane Anderson, Member

  
\_\_\_\_\_  
Toney Krajewski, Member

  
\_\_\_\_\_  
Joan Ervin, Member

  
\_\_\_\_\_  
Corey Crandall, Member

ATTEST:

  
\_\_\_\_\_  
Sandra K. Olson, Keith County Clerk

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# **Keith County, Nebraska Planning Commission By-Laws**

## **ARTICLE I. OBJECTIVES**

The objectives, purposes, powers and duties of the Planning Commission of Keith County, Nebraska ("Commission") are those set forth in Chapter 23 of the Nebraska State Statutes and amendments and supplements thereto, and those powers and duties delegated to the Planning Commission by the Keith County Board of Commissioners ("County Board") by ordinance and such other duties as the County Board has or may in the future delegate to the Commission.

## **ARTICLE II. OFFICERS AND THEIR DUTIES**

Section 1. The officers of the Planning Commission shall consist of a Chairman, a Vice-Chairman and a Secretary.

Section 2. The Chairman shall preside at all meetings and hearings of the Commission and shall have the duties normally conferred by parliamentary usage on such officers, as well as appoint committees and call Special Meetings. The Chairman shall be one of the citizen members of the Commission and shall have the privileges of discussing all matters before the Commission and of voting thereon.

Section 3. The Vice-Chairman shall act for the Chairman when the Chairman is absent. The Vice-Chairman shall be a citizen member of the Commission.

Section 4. The Secretary shall be the Keith County Zoning Administrator, or his or her appointed representative. The Secretary shall keep the minutes and records of the Commission, prepare official agendas of regular and special meetings with the Chairperson, provide notice of meetings to Commission members, arrange proper and legal notice of hearings, and attend to the correspondence of the Commission and to such other duties as are normally carried out by a Secretary.

## **ARTICLE III. ELECTION OF OFFICERS**

Section 1. Nomination of officers shall be made from the floor at the annual organizational meeting which shall be held on the first (1<sup>st</sup>) Thursday in April each year, and the elections shall follow immediately thereafter. Newly elected officers shall take office at the close of the annual organizational meeting.

Section 2. A candidate receiving a majority vote of the entire membership of the Commission shall be declared elected and shall serve for one (1) year or until a successor shall take office. Officers are eligible of re-election.

Section 3. Vacancies in offices shall be filled immediately by regular election procedure.

#### **ARTICLE IV. MEMBERSHIP**

Section 1. The Commission shall be composed of nine (9) members appointed by the Keith County Board of Commissioners ("County Board"). Each member shall serve a term of three (3) years. A majority of the members of the Commission shall be residents of unincorporated areas.

Section 2. The County Board shall appoint at least one (1) member from each County District. No more than three (3) members shall reside in the same County District.

Section 3. Members are expected to attend all meetings of the Commission. If a member cannot attend a meeting, the Chairperson or Zoning Administrator shall be notified prior to the time of the meeting.

Section 4. If a member of the Commission has more than four (4) consecutive unexcused absences from meetings or more than six (6) total unexcused absences in a twelve-month period, notice may be given to the County Board requesting that member to be replaced.

Section 5. Members shall avoid conflict of interest in transacting Commission business. Where a member has a recognized conflict, that member shall abstain from voting.

Section 6. Members shall not discuss official items with applicants prior to public hearings and shall not indicate their voting intentions until the public hearing is closed.

#### **ARTICLE V. MEETINGS**

Section 1. The Commission shall hold regular meetings on the first (1<sup>st</sup>) Thursday of each month at the Keith County Courthouse whenever there shall be business to be conducted before the Commission. The regular meeting held on the first (1<sup>st</sup>) Thursday of each April shall be a required meeting.

Section 2. The Chairman may change the meeting date and/or time, and the meeting may be postponed or cancelled if considered necessary, providing proper and timely notice of the revised meeting schedule can be legally competed to the membership and the general public.

Section 3. A majority of the membership of the Commission shall constitute a quorum (a quorum being five (5) members) and the number of the votes necessary to transact business shall be a majority of the quorum present. Voting shall be by roll call vote. A record call shall be kept as part of the minutes.

Section 4. Special meetings may be called by the Chairman. It shall be the duty of the Chairman to call such a meeting when requested to do so in writing by a majority of the members of the Commission. The notice of such a meeting shall specify the purpose of such a meeting and no other business may be considered except by unanimous consent of the Commission. The Secretary shall notify all members of the Commission in writing not less than five (5) days in advance of such special meeting.

Section 5. All meetings in which official action is taken shall be open to the general public.

#### **ARTICLE VI. ORDER OF BUSINESS**

The order of business at regular meetings shall be:

1. Roll Call
2. Reading of Minutes of previous meeting
3. New Business
4. Communications and bills
5. Report of officers and committees
6. Old Business
7. Adjournment

#### **ARTICLE VII. HEARINGS**

Section 1. In addition to those required by law, the Commission may, at its discretion, hold public hearings when such hearings are deemed by the Chairman with the consent of the membership to be in the public interest.

Section 2. Notice of public hearings shall be published in the official newspaper of the municipality or in a newspaper of general circulation at least ten (10) days before the time of public hearings.

Section 3. The case before the Commission shall be presented in summary by the Secretary or a designated member of the Commission and parties in interest shall have privileges on the floor.

Section 4. A record shall be kept of those speaking before the Commission.

#### **ARTICLE VIII. COMMITTEES**

Committees shall be appointed by the Commission as needed

#### **ARTICLE IX. AMENDMENTS**

These By-Laws may be amended by approval of two-thirds or more of the entire membership of the Commission.

**PLANNING COMMISSION APPROVAL**

The approved By-Laws and applicable amendments of the Keith County Planning Commission are recorded in the following official minutes:

Minutes of March 14, 2019