

**ADMINISTRATIVE RULES  
of the  
CHICKASAW COUNTY, IOWA PLANNING COMMISSION**

The following Administrative Rules are hereby adopted by the Chickasaw County Planning Commission. The Commission shall be a seven (7)-member advisory body that provides recommendations, as is necessary and appropriate, according to the Chickasaw County Comprehensive Land Use Plan and Subdivision Ordinance.

**SECTION 1.0 OFFICERS**

The Commission shall select from its membership a Chair and Vice-Chair, who will perform the usual duties pertaining to such offices.

- 1.1 Selection. At the first regular meeting in January of each year, the Commission will pick its officers from its membership. All officers are eligible for re-election.
- 1.2 Tenure. The Chair and Vice-Chair shall take office immediately following their selection and shall hold office for a term of one (1) year or until their successors are selected and assume office.
- 1.3 Duties. The Chair will preside at all meetings, appoint committees, and perform such other duties as may be ordered by the Commission. The Vice-Chair shall act in the capacity of the Chair in their absence and if the office of the Chair becomes vacant, the Vice-Chair shall succeed to this office for the unexpired term and the Commission shall select a successor to the office of Vice-Chair for the unexpired term. The Administrator will perform the duties of Secretary of the Commission. The Secretary will prepare the agenda, record and maintain minutes of the meeting, ensure that the minutes and adopted recommendations are properly published and recorded, provide appropriate applications to potential applicants, and perform such other duties as the Commission may determine.

**SECTION 2.0 MEETINGS**

The regular meeting of the Commission shall be scheduled for fourth (4<sup>th</sup>) Wednesday of every month beginning promptly at 7:00 PM in the Meeting Room of the Chickasaw County Community Services Building. However, if there are no business items on the agenda, the Chair of the Commission may choose not to meet. The Chair or the Secretary shall call the regular meetings. When the regular meeting day falls on a legal holiday, the Commission shall select a suitable alternative day in the same month.

- 2.1 Special meetings. Special meetings will be called at the request of the Chair, or any three (3) members of the Commission. Notice of the special meeting shall be given by the Secretary to the members of the Commission at least forty-eight (48) hours before such meeting and shall state the purpose and time of the meeting.
- 2.2 Public. All regular and special meetings, subcommittee meetings; hearings; records and accounts shall be open to the public. The agenda shall be posted, per the Code of Iowa.
- 2.3 Quorum. A majority of the total number of members, or four (4) members, shall constitute a quorum. Without a quorum, no business will be transacted and no official action on any matter will take place. An affirmative vote of the majority of the total number of members will be required for the exercise of the powers or functions conferred or imposed upon this Commission.

- 2.4 Order of business: Agenda. The Secretary will prepare an agenda for each meeting and provide it to each Commissioner seven (7) days before the meeting, excepting a Special Meeting per Section 2.1. The order of business may be as follows:
- a) Call to Order
  - b) Roll Call of Members in Attendance.
  - c) Consideration of the Agenda
  - c) Consideration of the Minutes from the previous meeting(s).
  - d) Advertised public hearing(s). The Chair will declare the public hearing open and state its purpose. The petitioner (or their representative) will be heard first; followed by the staff report of the Administrator, comments from the general public, and applicant rebuttal.
  - e) Consideration of matters heard under d) above.
  - f) Old Business.
  - g) New Business.
  - h) Comments from the Public.
  - i) General Discussion.
  - j) Adjournment.
- 2.5 Motions. Motions may be made by anyone on the Commission except for the Chair. After a motion is made, it shall be seconded by a different member of the Commission, except the Chair, or the motion dies. The Chair or Secretary may, if requested, restate the motion before a vote is taken.
- 2.6 Voting. Voting will be by roll call and will be recorded by yeas and nays. Every member of the Commission, including the Chair, is required to vote on each motion. However, a member may abstain if the member believes there is a conflict of interest, particularly if the conflict is of a financial nature. A member who elects to abstain from voting shall state the reason for the abstention at the time of voting. During the discussion of the matter under consideration, a member who plans to abstain from voting should so inform the Commission so that the members may properly weigh the opinions given by a member who believes a conflict of interest exists.
- 2.7 Commission action. Action by the Commission on any matter shall be conducted according to Sections 2.5 and 2.6. The Commission shall only provide recommendations. Any action item that approved by the Board of Supervisors will become effective three (3) days after final adoption, unless waived by the Board. Any action item that is denied by the Board of Supervisors shall not be reintroduced to the Commission for a period of at least one (1) month from the date of the denial. In any case, an action item that requires a hearing will not be decided until said hearing has been conducted.
- 2.8 Parliamentary procedure. Generally, "Roberts Rules of Order, Revised", will govern the Commission meetings.

### **SECTION 3.0 HEARINGS**

Comprehensive plan and subdivision ordinance hearings. Before the adoption or amendment of any part of the comprehensive plan or recommending approval of an amendment to the subdivision ordinance to the Board of Supervisors, the Commission will conduct a public hearing. Notice of the time and place of the hearing will be given not less than four (4) days, but not more than twenty (20) days, prior to the hearing by one (1) publication in a newspaper of general circulation.

If a public hearing is requested or called regarding a specific plat or subdivision, special or courtesy notice of a proposed subdivision review will be given by mail to all interested parties including the owners and residents of property within five hundred (500) feet of the boundaries of the premises under consideration. (Note: this is a courtesy and not required by Iowa law.)

Prior to conducting a hearing, the Chair may read any rules and regulations governing hearings.

The Commission may continue a hearing to the next regular or special meeting.

#### **SECTION 4.0 EXPENSES**

Commission members may receive payment for actual expenses and mileage incurred only upon approval of the Commission. Mileage shall be paid at the rate allowed by state law.

- 4.1 Gifts. Gifts, donations, and payments of any kind received by the County for planning purposes shall be appropriated solely for use in County planning efforts. Commission members may not receive any type of gift for their personal use or enjoyment.

#### **SECTION 5.0 MEETING ATTENDANCE**

Commission members are expected to attend all regular and special meetings of the Commission. If a member has a valid reason for their absence, the member shall notify the Commission Chair or Administrator before the meeting.

#### **SECTION 6.0 MATTERS TO BE CONSIDERED BY THE PLANNING COMMISSION**

- 6.1 The following matters, which must be considered at a meeting, may be presented for a recommendation of the Commission:
  - a) Proposed adoption or amendment of the comprehensive plan.
  - b) Proposed adoption or amendment of the subdivision ordinance.
  - c) Review of proposed developments and subdivisions, per the subdivision ordinance.

#### **SECTION 7.0 COMMITTEES**

The Commission may create, by resolution, standing and special committees for certain purposes as determined by the Commission.

- 7.1 Appointment and tenure of committees. The Chair will appoint members to each committee. The committee will decide when and where to meet, and announce these intentions to the Commission. Members of the committee will serve for one (1) year and until their successors are appointed or in the case of special committees until their work is completed. Vacancies will be filled by the Commission.
- 7.2 Spokesperson position created. Every committee will choose a spokesperson who will assume the following duties: present the findings and recommendations of the committee to the whole Commission; ensure that the committee meeting is open to the public and the public has been notified of each meeting; guide the committee meeting; and insure that proper minutes have been kept.

#### **SECTION 8.0 PLANNING STAFF**

In accordance with the ordinances and policies of Chickasaw County, the Board of Supervisors shall appoint an Administrator. The Planning Commission may be involved, if asked, in reviewing applications for this position and recommend the most qualified candidate to the County Board of Supervisors.

8.1 The Administrator's Duties include:

- a) Administration of the planning department, if applicable.
- b) Policy and budgetary formulation of planning department.
- c) Implementation of plans and subdivision ordinance.
- d) Public relations of planning department.
- e) Enforcement of subdivision ordinance.

**SECTION 9.0 RECORDS**

The Secretary shall keep books and/or files showing the status of all cases, minutes, and findings as part of the records of the Commission. In addition, the Secretary shall keep a file of all cases including applications and additional information as a part of the legal records. All records of the Commission shall be considered public record.

**SECTION 10.0 INFORMAL ADVICE**

The Commission will not consider a request (informal or not) for advice on theoretical or actual situations that may potentially be presented before the Commission.

**SECTION 11.0 ADOPTION AND AMENDMENT**

A two-thirds ( $\frac{2}{3}$ ) vote of the Planning Commission shall be necessary to adopt and/or amend these Administrative Rules. Proposed amendments shall be presented in writing at any regular meeting of the Planning Commission and voted on at the next regular meeting.

Adopted \_\_\_\_\_, 20\_\_\_\_

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Planning Commission Chair