

Anderson County Planning Commission By-Laws

ARTICLE I – AUTHORIZATION

1. This Planning Commission is established pursuant to and in conformance with Title 6, Chapter 29 of the South Carolina Code and Chapter 38, Article 2, Division 2, Section 38-66 of the Anderson County Code.
2. The official title of the commission shall be the “Planning Commission”, hereinafter referred to as the “Commission”.

ARTICLE II – PURPOSE

1. The Commission shall perform all those functions assigned to it by Title 6, Chapter 29, Section 6-29-340 of the South Carolina Code and Chapter 38, Article 2, Division 2, Section 38-67 of the Anderson County Code.

ARTICLE III – MEMBERSHIP

1. The Commission shall consist of seven (7) members appointed by County Council. County Council shall consider members based on their professional expertise, knowledge of the community, and concern for the future welfare of the total community and its citizens. Members shall represent a broad cross section of the interests and concerns within the jurisdiction.
2. Members shall serve terms of three years and may be replaced at will by County Council.
3. Terms of office of the Commission shall run from July 1 through June 30 of the respective years of the term.
4. The Commission shall annually elect a Chairperson and Vice-Chairperson, hereinafter referred to as Chair and Vice-Chair, from among the regular members and a Secretary, who may be a member or may be a County employee.

ARTICLE IV – DUTIES OF OFFICERS

1. The Chair shall preside at all meetings of the Commission and at other meetings and public hearings called by the Commission. The Chair shall call special meetings of the Commission when required and shall transmit reports, plans, and recommendations of the Commission to the appropriate governing authority, and in general, shall act as spokesperson for the Commission. The Chair shall appoint all committees. The Chair shall certify all official documents involving the authority of the Commission and certify all minutes as true and correct copies. The Chair shall rule on all procedural questions, subject to reversal by majority vote of members present.
2. The Vice-Chair, in the absence of the Chair, shall serve as Chair, and perform the duties of the Chair as outlined above. In the event of some misfortune or resignation of the Chair, the

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Vice-Chair shall perform the Chair's duties until such time as the Commission shall elect a new Chair.

3. The Secretary shall record or supervise the recording of all minutes of the Commission meetings; assist the Chair in the preparation of the agenda; shall make all postings and notifications to comply with Article VI.4; shall prepare and distribute minutes of the Commission meetings; if the Secretary is a member, she/he may delegate any or all of these duties to County staff.

ARTICLE V – COMMITTEES

1. The Chair may create Special Committees, not to exceed three (3) members, to study matters which in his/her judgment would best be handled by a Committee as opposed to the general Commission. The Chair shall designate one member of each Special Committee as its Committee Chair.
2. Any Committee shall meet at the call of its Committee Chair, subject to the provisions of Article VI.4.
3. A majority of its members shall constitute a quorum of any Committee. There shall be no Committee meeting without a quorum.
4. The Commission Chair shall be an ex officio member of every Committee.

ARTICLE VI – MEETINGS

1. Regular meetings of the Commission shall be held on the second Tuesday of each month at 6:00 P.M. Special meetings shall be called as needed. When a meeting date falls on a legal holiday as recognized by the State of South Carolina, the meeting shall be held the previous business day, unless otherwise designated by the Commission.
2. Special meetings may be called at any time upon the written request of the Chair or acting Chair or any three members of the Commission.
3. The Commission shall conduct its meetings in accordance with procedure set forth in Robert's Rules of Order except where amended by the Commission's By-Laws.
4. The Commission and each of its committees shall comply with the provisions of the South Carolina Freedom of Information Act and the requirements set forth in Anderson County Ordinance #342 and subsequent ordinances concerning freedom of information and the conduct of public meetings.
5. The Commission shall function by making recommendations in its area of responsibility to County Council. Recommendations from the Commission shall be submitted in writing to County Council or formally presented at County Council meetings. The Commission or any of its members may seek information and assistance from and work with any County staff in accomplishing its purpose.

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6. The Commission may hold public hearings on any matter which it deems to be in the public interest, in addition to those required by law or County Council. An accurate, written record shall be made of the proceedings and maintained as a part of the Commission's files.
7. All records of the Commission shall be a public record.

ARTICLE VII – NOTICE OF MEETINGS

1. All Commission members shall be given notice of the date, time, and place of any meeting at least twenty-four hours in advance. Commission members shall be notified in writing, telephone, email, or other means.

ARTICLE VIII – QUORUM

1. Four members shall constitute a quorum of the Commission for transacting business and taking official action. No official Commission business will be conducted without a quorum.

ARTICLE IX – VOTING

1. Unless otherwise provided in these By-Laws, voting at all meetings of the Commission shall be by the raising of hands and abstentions shall be recorded by name. No proxy votes shall be accepted.
2. No members shall vote or participate in discussion on any issue in which he/she has a personal conflict of interest, a direct professional interest, or a financial interest. Any member who is unsure whether a particular issue that comes before the Commission poses a conflict of interest may seek a legal opinion.
3. No Commission member shall miss three consecutive meetings without due cause. Absence from three consecutive meetings shall be considered appropriate cause for dismissal of the member from the Commission by County Council, upon the recommendation of the Chair.

ARTICLE X – ORDER OF BUSINESS

1. The order of business at all regular meetings shall be as follows:
 - a. Determination of a quorum
 - b. Approval of minutes
 - c. Conduct public hearings
 - d. Report of standing committees
 - e. Report of special committees
 - f. Old Business
 - g. New Business
 - h. Other Business
 - i. Adjournment

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ARTICLE XI – FISCAL YEAR

1. The fiscal year of the Commission shall begin on the first day of July and terminate on the 30th day of June as per Chapter 38, Section 38-66 of the Anderson County Code.

ARTICLE XII – AMENDMENTS

1. These By-Laws may be amended by a majority vote of Commission’s membership after thirty days prior notice.
2. By-Law changes must be kept in accord with Ordinance #370 whereby County Council established the Anderson County Planning Commission.

ARTICLE XIII – EFFECTIVE DATE

1. These By-Laws shall take effect and be in full force from and after their adoption by the Commission.

ARTICLE XIV – ADOPTION

1. Adoption by the Planning Commission at a meeting held in Anderson County, South Carolina on the 23rd day of March, 1993 as amended on April 9, 2002 and March 8, 2016.

CHAIR

ATTEST