ARTICLE I - NAME

These are the By-Laws of the Monongalia County Planning District Advisory Committees, hereinafter referred to as MCAC, reporting to the Monongalia County Planning Commission, hereinafter referred to as MCPC.

ARTICLE II - OBJECTIVES AND PURPOSES

The MCAC is organized in accordance with Section 14 (12), Article 24, Chapter 8, of the West Virginia Code and the Monongalia County Ordinance passed on March 18, 1999 and revised October 1, 2003.

ARTICLE III - THE ADVISORY COMMITTEE

Section 1

- A. The MCAC shall consist of (3) three to (11) eleven members. The initial MCAC shall be approved, for staggered terms of (1) one, (2) two or (3) three years, by the MCPC. The appointed Chairperson from the MCPC for that committee shall submit recommendations to the MCPC for staggered membership terms. After such initial approval is made, it is up to the MCAC to construct a method of replacement terms. Such method of replacement terms shall be submitted to the MCPC for approval. In so far as possible, representation of each MCAC needs to show representation from business, farming, households, and labor. All members must be residents of the Planning District for at least one (1) year.
- B. The MCPC, at the request of the MCAC, may appoint up to three additional members to serve as alternate members of the MCAC. Alternate members must meet the same eligibility requirements as set in Article III, Section 1, Paragraph A. The term for an alternative member is three years. The MCPC may appoint alternate members on a staggered term schedule. An alternate member shall serve on the MCAC when one of the regular members is unable to serve.

Section 2

Any member of the MCAC who misses three (3) consecutive or five out of twelve MCAC regular meetings within a given year, and who has not had those absences excused by the MCAC, shall be considered to have resigned. The President of the MCAC, once authorized by the MCAC, shall notify the President of the MCPC of a member's resignation and the manner of the member's resignation. All absences, excused and unexcused, shall be recorded in the minutes of each meeting.

Section 3

The initial members of the MCAC shall serve respectively for terms of one year, two years, and three years, divided equally or as nearly equal as possible between terms. Thereafter, members shall be selected for three (3) years each. Vacancies shall be filled by the MCPC for the unexpired term only.

Members of the MCAC shall serve without compensation, but may be reimbursed for reasonable and necessary expenses actually incurred in the performance of their official duties with prior approval of the MCPC.

Section 4

Any member of the MCAC may resign, or the membership of any member of the MCAC may be declared terminated by the Planning Commission, as provided in Section 2 above. Should any member of the MCAC resign, the Secretary of the MCAC shall immediately notify the President of the MCAC, submit nomination(s) from the MCAC to the MCPC, and request the appointment by the Planning Commission of a qualified person to fill the vacancy.

ARTICLE IV - MEETINGS OF MEMBERS

Section 1

The meetings of the MCAC shall be held as established by the MCAC. If the regular meeting day shall fall on a legal holiday, the meeting shall be held on the same weekday of the following week. Special meetings may be called at anytime by the Chair, President, or any two members, but only on written request to the Secretary/Treasurer. The Secretary/Treasurer shall send written notice of the special meeting to all members of the MCAC, this notice to arrive at least two days before the date of the special meeting. No written notice is necessary if the special meeting is announced at a regular meeting.

Section 2

At any meeting of the MCAC, a majority of members shall constitute a quorum. If a quorum is not present, those present may adjourn the meeting to a later date. Alternate members may be used to constitute a quorum when regular members are unable to serve.

A motion must be adopted by a majority of the members in attendance. Alternate members shall be considered a part of the majority when regular members are unable to serve.

Section 3

Minutes of the previous meeting shall be made available to members of the MCAC prior to, or at, the next regular meeting date. Reading, review, and approval of these minutes shall be the first order of business of each meeting.

Section 4

All regular and special meetings of the MCAC will be held in accordance to the West Virginia Open Meetings Law.

Executive Sessions are meetings or parts of meetings closed to the public. Executive Sessions may be held for such purposes as outlined by West Virginia Code, Chapter 6, Article 9A, Section 1.

Section 5

Order of Business – The order of business at regular meetings shall be as follows: (a) Call to Order and Roll Call, (b) Approval of Minutes of Previous Meeting(s), (c) Administrative Report, (d) Announcements/Communications, (e) Public Comments, (f) Unfinished Business, (g) New Business, (h) Committee Reports, (i) Adjournment. Public comments/questions will be timed at the discretion of the presiding officer, not to exceed thirty (30) minutes total for the session.

ARTICLE V - OFFICERS

Section 1

The officers of the MCAC shall be Chair, President, Vice President, and Secretary/Treasurer.

Section 2

The member of the MCPC, acting, as liaison to the District Committee, shall serve as the Chair and member of that committee.

Section 3

If selected by the MCAC, the Chair may serve as any of the elected officers.

Section 4

The President, Vice President, and Secretary/Treasurer of the MCAC shall be elected by the MCAC each year at the first regular meeting held in July. The officers so elected shall serve until the next annual appointment in June of the membership by the MCPC and until there successors are duly appointed. Any vacancy occurring among the officers in the meantime shall be filled by election by the MCAC for the remaining term.

ARTICLE VI – DUTIES OF OFFICERS

Section 1 - Chair

The Chair shall be a member of the MCPC, representing the Planning District and acting as liaison to the MCPC. The Chair shall be a regular voting member of the MCAC. The Chair shall report the activities of the MCPC to the MCAC.

Section 2 – President

The President shall preside at all meetings of the MCAC and shall be responsible for the preparation and transmission of all reports, plans, and recommendations to the Chair.

Section 3 - Vice President

In the absence of the President, the Vice President shall preside and perform the duties of the President. In the event of the death or resignation of the President, the Vice President shall perform the duties of the President until such time as the MCAC shall elect a new President.

Section 4 – Secretary/Treasurer

The Secretary/Treasurer shall assist the President in the preparation of the agenda for the MCAC meetings, shall notify members of special meetings, shall prepare and distribute minutes of MCAC meetings, shall keep an accurate and complete record of all the MCAC proceedings and finances, and assume responsibility for the custody and preservation of all papers and documents of the MCAC.

ARTICLE VII - COMMITTEES

Special Subcommittees may be authorized by the MCAC as needed.

ARTICLE VIII – ETHICS

The MCAC will be subject to and follow the mandates of the Governments Ethics Act, Chapter 6B, Articles 1 and 2, which comprise the West Virginia Governmental Ethics Act

ARTICLE IX - AMENDMENTS TO THE BY-LAWS

These By-Laws may only be altered, changed, amended, or added to, by the MCPC. Any suggested changes or revisions to these By-Laws should be submitted in writing to the MCPC.

ADOPTED: JANUARY 16, 2002

REVISED: MARCH 17, 2004

MAY 19, 2004