

AT THE RECOMMENDATION OF THE US ECONOMIC DEVELOPMENT ADMINISTRATION (APRIL 29, 2010), BYLAW AMENDMENTS HAVE BEEN RECOMMENDED. ALL DELETED ITEMS ARE SHOWN IN STRIKEOUT FONT WHILE ADDED ITEMS ARE SHOWN IN CAPS.

IN ACCORDANCE TO COUNCIL BYLAWS,

These bylaws may be amended through a public notice. The notice shall include time, date, and place of the meeting while the purpose of amending the bylaws shall be delivered to the voting membership, along with a copy of the proposed amendments not less than forty-five (45) days prior to such meeting. Notice is complete upon mailing.

JOHN C. BROWN/BH EXECUTIVE DIRECTOR/JULY 22, 2010

**PROPOSED
ADOPTED BYLAWS FOR THE BROOKE-HANCOCK REGIONAL PLANNING
AND DEVELOPMENT COUNCIL**

**ARTICLE I.
NAME OF COUNCIL**

The name of this organization shall be the Brooke-Hancock Regional Planning and Development Council, hereinafter referred to as the "Council".

**ARTICLE II.
AUTHORIZATION, POWERS AND DUTIES**

The Brooke-Hancock Regional Planning and Development Council is authorized as an Agency of local governments and possesses all powers and duties issued by the Joint Resolution and Articles of Agreement pursuant to the West Virginia Code - Chapter 8, Article 25.

**ARTICLE III.
OBJECTIVES AND POLICY**

The general objectives of and policies of the Council shall be as prescribed in West Virginia Code, as recodified Chapter 8, Article 25 to "provide for the efficient management of limited public revenues for the purpose of promoting the orderly development of the state and harmonizing the development of the state's governmental, social, economic, environmental and physical resources,

while maintaining acceptable levels of public services and facilities toward the general health, safety and welfare of all its citizens.”

The Council will serve as the focal point for district planning. It will formulate district economic and community development plans and programs. It will consider and when feasible incorporate development policies and priorities. The Council will serve as the primary designate for relating needs, objectives and priorities to statewide development and program planning. Member counties include Brooke and Hancock will be active participants in this process. Member incorporated communities including Beech Bottom, Bethany, Chester, Follansbee, New Cumberland, Weirton and Wellsburg will also be active participants in this process.

ARTICLE IV. OFFICERS

- Section 1. The officers of the Council shall consist of a Chairman, Vice Chairman, Secretary and Treasurer. The Council may appoint other officers as required.
- Section 2. The Chairman shall preside at all Council meetings and hearings and shall have the duties normally conferred by parliamentary usage on such officers.
- Section 3. The Vice-Chairman shall act for the Chairman in his absence.
- ~~Section 4. The Chairman shall alternate by county annually, unless the county to assume office according to normal rotation agrees otherwise.~~
- Section 5. The Secretary shall supervise the keeping of the minutes and records of the Council. With the assistance of the staff, the Secretary shall prepare the agenda of regular and special meetings under the direction of the Chairman, provide notice of all meetings to Commission members, arrange proper and legal notice of hearings and attend to such other duties as are normally carried out by a Secretary. Notices and minutes of regular meetings shall be sent to all Council members. The Executive Committee will receive notices and minutes of the Executive Committee meetings. All representatives of political bodies financially supporting the Council will receive notices and minutes of Executive Committee meetings and quarterly financial statements.

Section 6. The Council shall hire a staff which include an Executive Director and professional, technical and clerical staff as required to carry out Council objectives and policy within its budgetary limits.

ARTICLE V ELECTION OF OFFICERS

Section 1. An annual organization meeting shall be held at the regular meeting in January.

Section 2. Nominations for officers specified in Article IV, Section 1 shall be made by a Nomination Committee consisting of three members as appointed by the Chairman two (2) months prior to each annual organization meeting. The Nominating Committee shall present their report to the Chairman three (3) three weeks before the organization meeting. The report shall be read at the annual organization meeting and at that time nominations shall be accepted from the floor. Election of the officers specified in Article of these Bylaws shall be held at the annual organization meeting.

Section 3. The nominee for each office receiving a majority of those attending the organizational meeting shall be declared elected and shall serve for one (1) year or until his successor shall take office.

Section 4. Vacancies in office shall be fulfilled at the first regular meeting after such vacancy occurs by the regular election procedure contained in this article.

ARTICLE VI MEETINGS

Section 1. Regular meetings shall be set by the Full Commission with no less than three (3) meetings per year.

Section 2. A quorum shall consist of those members present and voting.

Section 3. Special meetings may be called by the Chairman. It shall be the duty of the Chairman to call a special meeting when requested to do so by a quorum of five (5) members of the Council. All members of the Council shall be notified in writing not less than five (5) days in advance of such special meeting.

Section 4. All meetings or portions of the meetings of the Council shall be open to the general public; however, the Council may exclude

public attendance at Executive Sessions where real estate, legal or personnel matters are to be considered.

Section 5. Unless otherwise specified, Robert's Rules of Order shall govern the proceedings at the meetings of the Council.

Section 6. The Chairman may appoint committees for specific purposes as necessary.

ARTICLE VII ORDER OF BUSINESS

Section 1. The general order of business at regular meetings shall be:

- a. Roll Call
- b. Action on Minutes of Previous Meeting
- c. Adoption Items
- d. Reports of Officers and Committees
- e. Staff Reports
- f. Old and New Business
- g. Adjournments

ARTICLE VIII MEMBERSHIP

Section 1. Council membership shall be automatic, appointed or agency represented.

- a. Automatic members shall have full voting privileges and consist of the following persons. (12 Members)
 - ~~Brooke County Planning Commission Chair (1)~~
 - ~~Brooke County Administrator (1)~~
 - ~~Hancock County Administrator (1)~~
 - ~~Village of Beech Bottom Mayor (1)~~
 - ~~Village of Bethany Mayor (1)~~
 - ~~Brooke County Commissioners (3) (1)~~
 - ~~Business Development Corporation of Northern Panhandle Development Agency Executive Director (1)~~
 - ~~City of Chester Mayor (1)~~
 - ~~City of Follansbee Mayor (1)~~
 - ~~Hancock County Commissioners (3) (1)~~
 - ~~City of New Cumberland Mayor (1)~~
 - ~~City of Weirton Mayor (1)~~
 - Weirton Redevelopment Authority (1)

- ~~City of Wellsburg Mayor (1)~~
- ~~Village of Windsor Heights Mayor (1)~~
- ~~City of Follansbee Manager (1)~~
- ~~City of Weirton Manager (1)~~
- ~~City of Wellsburg Manager (1)~~
- ~~City of Weirton Development Director (1)~~

B. Appointed members shall have full voting privileges. These members will be appointed for a two (2) year term and consist of the following persons TO BE NOMINATED AND APPOINTED BY THE AUTOMATIC MEMBERS OF THE BROOKE-HANCOCK REGIONAL COUNCIL. (13 Members)

- ~~City of Chester Council appointed by Mayor (1)~~
- ~~City of Follansbee Council appointed by Mayor (1)~~
- ~~City of New Cumberland Council appointed by Mayor (1)~~
- ~~City of Wellsburg Council appointed by Mayor (1)~~
- ~~City of Weirton Council appointed by Mayor (2)~~
- ~~Brooke County Community Interest Representatives appointed by Brooke County Commission (2)~~
- ~~Hancock County Community Interest Representatives appointed by Hancock County Commission (2)~~
- ~~Brooke County Community Interest Representative appointed by Weirton Mayor (1)~~
- ~~Hancock County Community Interest Representative appointed by Weirton Mayor (1)~~
- Private Industry and Education (4) (13)

C. Agency members are non-voting members and shall include but not be limited to the following agencies.

- U.S. Senatorial Offices (2)
- U.S. Congressional Office (1)
- West Virginia Workforce Investment (1)
- West Virginia Development Office (1)
- U.S. Economic Development Administration, Philadelphia Regional Office (1)

~~Section 2. Community interest representatives shall represent a cross section of their communities and attempt to include business, labor, industry, real estate, minorities, health, recreation, housing, educational and environmental issues.~~

Section 3. Alternate representatives for AUTOMATIC AND appointed members may be designated by appointed members. If an AUTOMATIC OR

appointed member is not present at a meeting or voting session, the alternate may vote in place of the appointed member.

ARTICLE IX AMENDMENT OF BYLAWS

These bylaws may be amended through a public notice. The notice shall include time, date, and place of the meeting while the purpose of amending the bylaws shall be delivered to the voting membership, along with a copy of the proposed amendments not less than forty-five (45) days prior to such meeting. Notice is complete upon mailing.

ARTICLE X EXECUTIVE COMMITTEE ADMINISTRATION

The Council shall administer its own finances, personnel and operational affairs and establish an Executive Committee for this purpose.

Membership, bonding, quorum and duties of the Executive Committee are as follows.

Section 1. Executive Committee Membership

- a. Council Chair (1)
- b. Council Vice-Chair (1)
- c. Council Treasurer (1)
- d. Council Secretary (1)
- e. ~~County Commissioners (6)~~
- f. ~~Brooke County appointment by Chair (1)~~
- g. ~~Hancock County appointment by Chair (2)~~
- h. ~~Immediate past Chair (1)~~

Section 2. Bonding. The Chair, Treasurer, Executive Director and necessary staff shall be bonded at the Council's expense. The amount of the bond shall be determined annually by the Executive Committee, to be no less than \$5,000.

Section 3. Quorum. A quorum shall consist of those members present and voting.

Section 4. The powers and duties of the Executive Committee are as follows.

- a. Approve personnel policies and the appointment of full-time qualified staff as selected by the Executive Director within the annual budget.

- b. Establish a system for the exercise of the review and comment procedures required by federal or state law regarding grants and loans within the region.

**ARTICLE XI.
EXECUTIVE DIRECTOR**

The Executive Director shall be the chief executive and administrative officer of the Council and empowered to complete the following tasks.

- a. Appoint, subject to the approval of the Executive Committee, permanent, full-time employees. Supervise and remove all employees in accordance with the Council's Personnel Rules and appoint such part-time and temporary employees as needed, subject to budgetary limitations.
- b. Prepare and present the annual report to the Regional Council, member governments, Governor and other appropriate agencies or departments.
- c. Prepare and present for approval the annual work program and budget for the ensuing year.
- d. Accept and execute on behalf of the Regional Council, grant offers by various federal, state or local governmental agencies as well as private sector foundation grant programs.
- e. Perform such other duties as may be assigned by the Council or Executive Committee.

**ARTICLE XII.
EFFECTIVE DATE**

These bylaws shall be effective immediately upon adoption by the Council.