

ORDINANCE NO. 9 - ⁹⁰~~89~~

BY: *J. Schmeitz*

An Ordinance to authorize the Mayor and Auditor to execute an amended agreement with the Mid-Ohio Regional Planning Commission.

WHEREAS, Mid-Ohio Regional Planning Commission has developed changes to its Articles of Agreement; and,

WHEREAS, said changes were developed by the Executive Director and legal counsel, reviewed by the officers, and approved by their Administrative Committee; and,

WHEREAS, changes were developed to provide per capita representation of adjacent counties to formally allow non-contiguous counties to become regular members; to introduce the concept of codified rules to replace bylaws and resolutions; to eliminate the Executive Committee entirely; and,

WHEREAS, Mid-Ohio Regional Planning Commission, at its November 16, 1989 meeting, directed that member governments be requested to approve such changes to the Articles of Agreement. NOW, THEREFORE,

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF BEXLEY, OHIO:

Section 1. That the Revised Articles of Agreement is hereby approved in the form attached to this Ordinance and that the Mayor and Auditor are hereby authorized and directed to execute said agreement on behalf of the City.

Section 2. That this Ordinance shall be in full force and effect at the earliest period allowed by law.

Passed: February 13, 1989

Robert K. Schmeitz
President of Council

Attest: *J. Schmeitz*
Clerk of Council

Approved: Feb. 13, 1989

David H. Madison
David H. Madison
Mayor

Jan. 23, 1990 - 1st reading

MID-OHIO REGIONAL PLANNING COMMISSION

ARTICLES OF AGREEMENT

10/13/89 FIFTH DRAFT OF AMENDMENTS

(Comments: 9/10 Hummer
9/20 Minister, 9/13 Falco,
Anderson)

Amended October 18, 1979
Amended July 22, 1982

I

MISSION & REGION

The ~~Mid-Ohio Franklin County~~ Regional Planning Commission, which shall hereafter be known as the ~~Mid-Ohio Regional Planning Commission~~ (hereinafter referred to as the COMMISSION), shall ~~conduct and coordinate planning activities of a regional nature, directed toward maximizing efficiency and economy in resolving problems, policies and programs concerning urban development within the central Ohio region.~~ **carry out the following mission: 1) Increase the ability of local governments or other entities to deal with local or regional issues, 2) Assist local governments in making best use of local tax dollars and other resources through planning, capital improvements programming and management techniques, 3) Increase the amount of federal and state funds flowing into the region for use in meeting needs recognized by local governments, and 4) Decrease federal, state and in-house red tape and excessive controls associated with grant programs and operation of local activities.**

The region (hereinafter referred to as the REGION), for which the COMMISSION is created and shall be maintained, is the Central Ohio Regional Planning Area ~~as officially defined by the COMMISSION. The Planning Area~~ which shall include the geographic area of Franklin County and **other contiguous** local units of government that are cooperating in the **work operations** of the COMMISSION. ~~plus any additional area necessary for the comprehensive planning activities of the COMMISSION.~~

II

MEMBERSHIP OF THE COMMISSION

~~Membership on the COMMISSION is determined by eligibility and conditional requirements described below. The specifications are designed to allow flexible participation at several levels of local~~

~~government, namely municipal planning commissions, townships and counties and such other units of local government as permitted by Section 713.21 Ohio Revised Code.~~

A. ELIGIBILITY

Any municipality ~~planning commission~~, board of township trustees, or board of county commissioners representing a local unit of government which is within, ~~or~~ contiguous **to or near** to Franklin County, ~~or within or contiguous to other political subdivisions that are cooperating in the operations of the COMMISSION,~~ is eligible for a **full membership** ~~cooperative association~~ with the COMMISSION. Other units of local government may become **associate** members upon such terms as may be ~~mutually~~ agreed upon by a majority of the participating ~~planning commissions and boards.~~ **the COMMISSION.**

B. CONDITIONS

To acquire and retain **full membership** ~~on a cooperative association~~ with the COMMISSION, a prospective participating organization must:

1. Formally enter into the Articles of Agreement of the COMMISSION.
2. Pay the appropriate participation fees as set forth in Section VIII, Paragraph A of these Articles of Agreement.
3. Maintain or create, for local planning responsibilities, an appropriate planning organization such as a municipal planning commission or legislative authority where it serves as the municipal planning commission. ~~or county planning commission, or a county planning advisory committee or county planning area committee as set forth in Article VI, Section G and Section H of these~~ 29 Articles of Agreement.
4. In the instance of a local unit of government, other than a municipality, township, or county, such additional conditions as may be established by the COMMISSION shall be satisfied.

C. REPRESENTATION

The COMMISSION shall at all times include one or more persons from disadvantaged low income and minority groups. Representatives to the COMMISSION must be selected as follows:

1. Municipal Members

Municipal representatives shall be appointed by the Mayor, Chief Executive Officer, Council President serving as Mayor, or legislative body, except for those selected by the Columbus Development Commission.

a. City of Columbus

Three (3) resident citizens of Columbus shall be selected by the Mayor and confirmed by the City Council to serve as "Members At Large." Three (3) representatives of the Columbus Development Commission shall be selected by that Commission.

2

Each village shall appoint one representative.
~~One (1) representative shall be selected by the planning commission or legislative authority where it serves as the planning commission of each participating village.~~

2. Township Members

~~a. From a participating county~~

3

a. Franklin County

- ~~1. Having no participating townships~~
1. Two (2) elected official representatives shall be selected by the county's Township Trustees Association, or equivalent organization representing all Township Trustees in that county.
- ~~2. Having one participating township - One (1) elected official representative shall be selected by the Trustees of that single township and one (1) representative shall be selected by all of the Boards of Trustees of the balance of the county.~~
- ~~3. Having more than one participating township - Two (2) elected official representatives shall be selected by all of the Boards of Trustees of the participating townships within the county.~~

b. Participating counties other than Franklin

The board of county commissioners shall determine whether townships shall be directly represented. If townships are to be represented, the county's Township Trustees Association (or equivalent organization representing all townships in that county) shall select two (2) elected official representatives.

c. From a Non-participating county

1. Having one participating township - One (1) elected official representative shall be selected by the Trustees of that single township.
2. Having more than one participating township - Two (2) elected official representatives shall be selected by all of the Boards of Trustees of the participating townships within the county.

3. County Members

a. **Franklin County**

The three (3) members of the board of county commissioners ~~of each participating county~~ will serve on the COMMISSION during their tenure in office.

The county engineer ~~of each participating county~~ will serve on the COMMISSION during his/~~her~~ tenure in office.

~~When, and only when, a participating county contains one or more participating municipalities or townships, it is entitled to have its~~ **The** board of county commissioners **shall appoint** ~~select~~ one (1) representative for each population increment of 100,000 (or part thereof) of the total county population. ~~One~~ **At least one** ~~or more~~ of the above appointments ~~of the Franklin County Board of County Commissioners~~ shall be from disadvantaged low income and minority groups. **All** representatives so **appointed** ~~selected~~ shall serve as "Members At Large". ~~Representation, based on population, is determined by the latest Federal Census when available or the latest estimate by the COMMISSION for annual population figures.~~

b. **Counties other than Franklin**

The number of representatives shall be determined based on a formula consisting of the nearby county's population divided by Franklin County population per representative and rounded up or down based on whether or not the increment is greater or less than one half member.

The board of county commissioners shall determine how the number of representatives shall be apportioned between county, municipal and township governments.

4. Population Determination

Representation based on population is determined by the latest Federal census when available, or the latest estimate by the COMMISSION for annual population determination.

5. Associate Members

Associate members shall have such representation as may be established by the COMMISSION.

~~4. Other Units of Local Government~~

~~a. Other units of local government participation on the COMMISSION shall have such representation as may be mutually agreed upon by the participating planning commissions and board.~~

D. TERMS

Except as otherwise indicated, **representatives to members** of the COMMISSION shall serve for terms of three years each. Terms shall be staggered by annual increments for those **representatives of member** ~~members representing participation units of governments~~ which have more than one **representative member** on the COMMISSION with an equal number of appointments being made each year insofar as possible. ~~Terms of service for members of the COMMISSION shall be confirmed annually by the appropriate appointing authority. An appointed member shall attend a minimum of one regularly scheduled COMMISSION meeting each year or be replaced by his appointing authority.~~

E. VACANCIES

If A vacancy ~~on~~ should occur among the members of the COMMISSION, ~~such vacancy~~ shall be filled for the unexpired term by the authority which appointed ~~or elected~~ such **representative member** in the first instance. An appointed **representative member** is directly responsible to the appointing authority and shall continue to serve until ~~a~~ his successor has been designated and qualified.

F. VOTING

Each ~~official representative member to~~ of the COMMISSION shall be entitled to vote on all motions acted upon by the COMMISSION.

G. ADDITIONS

A political subdivision or other unit of local government which is eligible by virtue of the Ohio Revised Code and these Articles of Agreement, may make application to the COMMISSION for representation on the COMMISSION. Upon acceptance by the COMMISSION and the execution of an agreement between the two parties, the political subdivision shall become a participating organization in cooperative association with the COMMISSION.

H. WITHDRAWALS

The legislative authority of any ~~member participating municipality, township or county or other unit of local government~~ may terminate its ~~membership cooperative association~~ with the COMMISSION at any time by adopting a resolution to do so, delivering a certified copy thereof to the Secretary of the COMMISSION, and withdrawing its ~~representatives members~~ from the COMMISSION. So far as active participation is concerned, such withdrawal shall be effective upon delivery, but shall not relieve the withdrawing party of its obligation to contribute its share of the cost for the year in which the withdrawal occurs. ~~provided.~~ However, ~~that~~ if any such ~~member participating unit of local government~~ shall withdraw at any time within the last six months of the year in which it became a ~~member participating organization~~, such withdrawing party shall contribute its share of the cost for the first six months of the year next ensuing. Any legislative authority or other unit of local government not contributing as provided by Article IX hereof, may by a determination of the Executive Committee be deemed to have withdrawn.

III

POWERS AND DUTIES OF THE COMMISSION

The COMMISSION shall have all powers, duties and responsibilities pertaining to regional planning commissions, specified in ~~Section 713.23~~ **Section 713.21 to 713.27**, or **including** any other section of the Ohio Revised Code.

The COMMISSION shall provide planning **and** consultation **services** ~~functions~~ concerning local problems **and shall** review and report its findings on State and Federal grant applications when requested by ~~members participating local units of government~~. The COMMISSION may also provide planning assistance for any **member**. ~~participating municipal, township or county government and other unites of local government, councils of government, planning commissions and joint planning councils:~~ The cost thereof shall be paid by such **member** ~~governmental unit~~ in such a manner and amount as may be agreed on between the COMMISSION and the **member**. ~~planning organization of such governmental unit. Any planning assistance shall be undertaken upon fulfillment of the following conditions:~~

- A. ~~An authorized request in writing from the planning organization of any participating local unit of government requesting the COMMISSION on behalf of any participating governmental unit until a contract, mutually satisfactory to both parties, has been consumated; and~~
- B. ~~An authorized certificate to the COMMISSION by the designated financial officer of such participating governmental unit that such request has been approved, that the appropriation to meet the same has been made and payment will be made at such time and in such manner as agreed upon by the parties thereto.~~

Any such work so undertaken and completed by the COMMISSION shall be of an advisory or recommending nature which may or may not be adopted by the **member's** ~~planning organization. of the participating governmental unit.~~ The fact that such planning organization refuses to adopt such work shall not relieve the **member** ~~participating governmental unit~~ from the obligation to pay the amount specified under the contract.

The COMMISSION, after making a regional plan or any change, supplement or abolition thereof, shall certify a copy thereof to

the planning commission of each municipality, to the township trustees, and the county commissioners of the REGION.

The planning commission of any municipality to which such a plan, change, supplement or abolition is certified may adopt the same, and it shall thereupon have the same force and effect within such municipality as is provided by law or charter for plans prepared and adopted by said planning commission. The boards of county commissioners may adopt said plan, change, supplement, or abolition so far as it related to non-municipal territory within their respective jurisdictions. When so adopted, said plan, change, supplement or abolition shall be certified to the COMMISSION and filed with the county recorder of affected counties as provided by law.

IV

LOCAL PLANNING RESPONSIBILITIES

Detailed planning within a single political jurisdiction is not the responsibility of the COMMISSION, but shall remain the responsibility of the planning organization or agency for that local unit of governments. ~~such as a municipal, county or regional planning commission, or other type of planning committee.~~

If a county or only a part of a county ~~such as a township or municipality becomes a member of participating organization in cooperative association with the COMMISSION,~~ a mutual agreement between the COMMISSION and the regional planning commission involved shall be required to determine how regional planning will be effectuated in that part of the county within the COMMISSION'S planning area. Regardless of the type, planning organizations of ~~members participating local units of government~~ may exercise the option of utilizing COMMISSION staff in lieu of maintaining their own permanent staff by entering into an appropriate agreement with the COMMISSION and paying the required costs agreed upon by the parties thereto.

V

OFFICERS OF THE COMMISSION

A. OFFICERS

1. Chairman and Vice Chairman

The Chairman and Vice Chairman shall each be members of the COMMISSION and be elected by **representatives of** the COMMISSION at its **annual April** meeting each year. ~~after nominations and seconds have been received from the floor.~~ Each shall hold office until the **annual April** meeting next after his **or her** election, and until his **or her** successor is elected and qualified. The duties of the Chairman shall include the appointment of the following committees, namely: Administrative, Local Government, ~~Finance, Work Program, Personnel,~~ Nominating, Technical, Citizen or other ~~Advisory~~ committees as **authorized by described in** Article VII of these Articles. The Chairman may appoint such special committees **or task forces** as may be necessary from time to time in order to perform the duties set forth in the Articles of Agreement, **or as the Commission may otherwise direct. The Chairman shall preside at all meetings of the COMMISSION.** The Vice Chairman shall serve as Chairman during any absence of the Chairman **and shall assist the Chairman in performance of duties.**

2. Secretary

The COMMISSION at its **annual April** meeting each year shall elect a Secretary, ~~who may be, but need not be a member of the COMMISSION (after nominations and seconds have been received from the floor).~~ The Secretary shall hold office until the **annual April** meeting next after his **or her** election and until his **or her** successor is elected and qualified. It shall be the duty of the Secretary to keep a full record of the proceedings of the COMMISSION and of its committees, and **he or she** shall perform such other duties as the COMMISSION may from time to time direct.

B. VACANCIES

Should the offices of Chairman, Vice Chairman or Secretary become vacant, the COMMISSION may at its next regular meeting receive nominations **from the Nominating Committee as well as** from the floor and elect a successor; however, such vacancy shall be filled within a period of five months. ~~When After~~ a vacancy occurs, the **COMMISSION Executive Committee** shall appoint an

interim officer at its next regular meeting. Such interim officer shall possess all the powers of a regular officer and shall serve until the position is filled by the COMMISSION.

VI

EMPLOYEES

The COMMISSION may authorize the employment of a director, and such planners, engineers, accountants and others as may be necessary, and fix their compensation. Personnel shall be employed by the director with confirmation by the **Administrative Executive** Committee and shall not be under civil service but shall be eligible for and covered by the Ohio Public Employees Retirement System.

VII

COMMITTEES OF THE COMMISSION

~~The duties of the Chairman shall include the appointment of the following committees, namely: Administrative, Local Government, Finance, Work Program, Personnel, Nominating, Technical, Citizen or other Advisory committees as described in Article VII of these Articles. The Chairman may appoint such special committees as may be necessary from time to time in order to perform the duties set forth in the Articles of Agreement.~~

The Rules adopted by the COMMISSION shall provide for the establishment of standing, ad hoc, and other committees, at least one of which shall oversee financial, administrative and personnel matters; a county planning area committee and subcommittee for each county without a county or regional planning commission; and a transportation policy committee.

The method of selection, term, name, duties and responsibilities of committees shall be provided in the Rules of the COMMISSION.

A. ~~EXECUTIVE COMMITTEE~~

~~There shall be established by the COMMISSION an Executive Committee to make such final determinations, decisions, findings, recommendations and orders as may be necessary between meetings of the COMMISSION, and to carry out other duties and responsibilities delegated to it by the COMMISSION. In addition, the COMMISSION may, at its~~

~~discretion, create certain other committees providing advice, counsel, or liaison for special projects or activities of interest to the COMMISSION.~~

~~The Executive Committee shall be elected from members serving on the COMMISSION Membership on the Executive Committee shall be as follows:~~

- ~~1. The Chairman of the Commission;~~
- ~~2. The Vice Chairman of the Commission;~~
- ~~3. One County Commissioner from each participating county; to represent that entire county~~
- ~~4. One Member representing all participating municipalities and townships within a county which is itself not a participating member. One Member from Franklin County to represent member of the COMMISSION from participating local governmental units within Franklin County;~~
- ~~5. One member to represent the entire planning area;~~
- ~~6. One Township Trustee; to represent all townships within the Planning Area~~
- ~~7. Two municipal members, excluding Columbus, to represent all municipalities within the Planning Area other than Columbus.~~
- ~~8. Two municipal members to represent the City of Columbus. At least one of these shall be a representative of the Columbus Development Commission;~~
- ~~9. One appointment of the Franklin County Board of County Commissioners from disadvantaged and low income and minority groups;~~

~~Of the Elected membership of the Executive Committee there shall be a minimum of 51% elected officials and at least one person from disadvantaged low income and minority groups.~~

~~Should a position on the Executive Committee become vacant, the COMMISSION may at its next regular meeting~~

~~receive nominations from the floor and elect an appropriate successor; however, such vacancy shall be filled within a period of five months. After a vacancy occurs, the Chairman of the COMMISSION shall appoint an interim member at its next regular meeting. Such interim member shall possess all the powers of a regular member and shall serve until the position is filled by the COMMISSION.~~

~~The Executive Committee shall possess and may exercise all the powers delegated to it by the By Laws or Resolutions of the COMMISSION or by these Articles. The Executive Committee shall be responsible for the activities of the COMMISSION between meetings of the COMMISSION. All actions of the Executive Committee shall be reported in writing to the members of the COMMISSION no later than the next meeting of the COMMISSION or within thirty (30) days from the date of the action, whichever is earlier.~~

~~Any member of the COMMISSION who attends a meeting of the Executive Committee shall have voting privileges of a regular elected member of the Executive Committee. at that meeting and shall be counted in establishing a quorum, however, there shall be a minimum of three (3) elected members of the Executive Committee present at all meetings. Such member of members shall have all the duties, powers and privileges of the regular elected member or members of the Executive Committee.~~

~~C. FINANCE COMMITTEE~~

~~There shall be established a permanent Finance Committee, the members of which shall be appointed by the Chairman of the COMMISSION and approved by the Executive Committee. Said Finance Committee shall be composed of five (5) members of the COMMISSION, at least one (1) of whom shall be selected from the Executive Committee. Appointments to the Finance Committee shall be made in the month of May of each year and at such other times as a vacancy may occur.~~

~~The Finance Committee shall be responsible for the preparation of a recommended annual COMMISSION budget for submission to the participating organizations and to the Executive Committee each calendar year for consideration and revision prior to adoption by the~~

~~COMMISSION in the following January. The Finance Committee shall also study and make recommendations to the Executive Committee on proposed major and special disbursements and expenditures, changes in employee salary schedules, payroll rate changes, revenue sources, and other activities concerning the finances of the COMMISSION which the Finance Committee is directed to investigate.~~

~~D. WORK PROGRAM COMMITTEE~~

~~There shall be established a permanent Work Program Committee, the members of which shall be appointed by the Chairman of the COMMISSION and approved by the Executive Committee. Said Work Program Committee shall be composed of five (5) members of the COMMISSION, at least one (1) of whom shall be selected from the Executive Committee. Appointments to the Work Program Committee shall be made in the month of May of each year and at such other times as a vacancy may occur.~~

~~The Work Program Committee shall review and report monthly to the Executive Committee on COMMISSION staff work status and other staff activities.~~

~~The Work Program Committee shall also study and make recommendations for additions to and changes in the work program and other functions of the COMMISSION.~~

~~E. PERSONNEL COMMITTEE~~

~~There shall be established a permanent Personnel Committee, the members of which shall be appointed by the Chairman of the COMMISSION and approved by the Executive committee. Said Personnel Committee shall be composed of five (5) members of the COMMISSION, at least one (1) of whom shall be selected from the Executive Committee. Appointments to the Personnel Committee shall be made in the month of May of each year and at such other times as a vacancy may occur.~~

~~The Personnel Committee shall review and report annually, to the Executive Committee, and at such other times as it is so directed by the Executive Committee, on staff organization, including job classifications and specifications for staff positions and staff working conditions, including office facilities and equipment.~~

~~Said committee shall also make recommendations for the COMMISSION'S employee policy concerning vacation, sick leave, professional development, and staff recruitment necessary for the acquisition and maintenance of appropriate staff to carry out the work program and other functions of the COMMISSION.~~

~~F. NOMINATING COMMITTEE~~

~~There shall be established a Nominating Committee, the members of which shall be appointed by the Chairman of the COMMISSION and approved by the Executive Committee. Said Nominating Committee shall be composed of five (5) members of the COMMISSION, three (3) of whom shall be members of the Executive Committee, and not more than one (1) of these three shall be a member of any one representative group on the COMMISSION as indicated in Article II, Section C of these Articles. The members so appointed to the Nominating Committee shall be confirmed by the Executive Committee. The Nominating Committee shall designate its Chairman from its members.~~

~~G. TECHNICAL, CITIZEN OR OTHER ADVISORY COMMITTEES~~

~~The members of such committees shall be appointed by the Chairman and approved by the Executive Committee. The purpose of such committees is to review and report on activities of interest to the COMMISSION.~~

~~H. COUNTY PLANNING ADVISORY COMMITTEES~~

~~These committees would be formed in counties having regional or county planning commissions which have territory included in the planning area of the COMMISSION. Such a committee membership would consist of COMMISSION members from that county and representatives from the county or regional planning commission. Its purpose would be to coordinate the planning being done by the COMMISSION with the planning of the county or regional planning commission for the territory within that county included in the planning area of the COMMISSION.~~

~~These committees may also function in an advisory capacity in relating planning for that entire county or any of its parts to planning being done by the COMMISSION.~~

~~I. COUNTY PLANNING AREA COMMITTEE~~

~~These committees shall consist of all the members on the COMMISSION from a particular county. Such committees shall be charged with planning activities covering the portion of that county within the COMMISSION'S planning area. Such committees would be formed in counties which did not have a county planning commission or a regional planning commission active in county wide planning. The committees function may approximate the role of a county planning commission where its membership is expanded to include full county representation and it is so desired. These committees shall have such powers, duties, financing, organization, etc. as may be provided by the COMMISSION.~~

~~A subcommittee may be formed within each County Planning Committee to take final action upon applications for subdivision, lot splits, and changes in zoning in accordance with the powers and duties of regional planning commissions. Such a subcommittee shall have any additional responsibility which may be given to it by the County Planning Committee. Any member of the County Planning Committee attending a meeting of the subcommittee shall have voting privileges at that meeting and shall be counted in establishing a quorum, except County Commissioners or Township Trustees, who shall not vote on those issues which will be reviewed and decided upon by them at a later time. Such member or members shall have all the duties, powers and privileges of the regular member or members of the subcommittee.~~

~~VII~~

~~MEETINGS OF THE COMMISSION AND ITS COMMITTEES~~

~~A. MEETINGS OF THE COMMISSION~~

~~The COMMISSION shall hold at least four (4) regular meetings in each calendar year, one of them in the month of January, one in the month of April and such other regular meetings as it may by rule provide. Special meetings may be called by the Chairman or by any ten (10) members of the COMMISSION. The Secretary of the COMMISSION shall mail or deliver written notice~~

~~of each regular or special meeting to each member of the COMMISSION not more than 15 days nor less than 10 days before such meeting. Notices of any special meeting shall state the purpose for which such meeting is called.~~

~~B. MEETING OF THE EXECUTIVE COMMITTEE~~

~~The Executive Committee shall provide by rule for its regular and special meetings, which include at least one regular meeting each calendar month.~~

~~C. MEETINGS OF OTHER COMMITTEES~~

~~Special purpose committees established by the COMMISSION shall meet at such times as there occurs a need for the services of such committees. The time and place of meetings shall be determined by the chairman or each committee in counsel with the Director of the COMMISSION. The Chairman of the COMMISSION shall be informed of the time and place of all committee meetings.~~

~~D. QUORUM~~

~~At any meeting of the COMMISSION, the Executive Committee, or any other committee established by the COMMISSION, a quorum shall consist of a majority of all the members on the COMMISSION or committees. Action may be taken by a majority of those members present and eligible to vote. A lesser number of members may, however, adjourn the meeting from time to time.~~

(Note: Quorum requirements have been included with the Rules).

VIII

ELECTIONS

~~The Nominating Committee, established from the nomination of officers of the COMMISSION, shall be utilized for the nomination of candidates for membership on the Executive Committee.~~

A. NOMINATING COMMITTEE

There shall be established a Nominating Committee, the

members of which shall be appointed by the Chairman of the COMMISSION and **confirmed approved** by the **COMMISSION Executive Committee**. Said Nominating Committee shall be composed of five (5) members of the COMMISSION, ~~three (3) of whom shall be members of the Executive Committee,~~ and not more than one (1) of these three shall be a member of any one representative group on the COMMISSION as indicated in Article II, Section C of these Articles. ~~The members so appointed to the Nominating Committee shall be confirmed by the Executive Committee.~~ The Nominating Committee shall designate its Chairman from its members.

B. NOMINATION FOR ELECTION

At least twenty (20) days prior to the **annual April** meeting, the Chairman shall appoint ~~the a~~ Nominating Committee ~~as described in Article VI, Section E of these Articles.~~ Said Nominating Committee having been duly appointed and confirmed shall, at least ten (10) days prior to the **annual April** meeting of the COMMISSION, report the names of the candidates so nominated to the Secretary. The Secretary shall advise each member of the COMMISSION, in writing, at least five (5) days prior to the **annual April** meeting as to the nominees so selected. At the **annual April** meeting, the Chairman of the Nominating Committee shall report the names so nominated. After this report is presented, nominations from the floor shall be invited. Such nominations must be seconded. The Secretary then shall prepare ballots properly identifying the nominees, said ballots shall be distributed and tallied during the **annual April** meeting by a temporary committee appointed for that purpose.

IX

FINANCIAL PROVISIONS

A. APPORTIONMENT OF COSTS

The cost of maintaining the COMMISSION for regional planning purposes shall be apportioned in the following manner. In every calendar year, each participating municipality, including the City of Columbus, shall contribute not less than 20 cents per capita of its population. Every **member participating** township shall

contribute 20 cents per capita of the population in the unincorporated areas of the township. The contribution of each participating county shall be 20 cents per capita of the population in the unincorporated areas of the county or portion thereof participating in the COMMISSION. In any event, the contribution of any ~~member participating local unit of government~~ shall not be less than **fifty dollars** ~~\$50~~ each calendar year. The contribution for the first year of membership shall be paid during the month following the execution of an agreement between the ~~member cooperating local unit of government~~ and the COMMISSION, and shall amount to that part of the appropriate annual participation cost pro-rated on the basis of the balance of the time remaining in that calendar year.

In addition, in every calendar year commencing in 1981, each participating municipality shall contribute not more than 7 cents per capita of its population; every participating township shall contribute not more than 7 cents per capita of the population in the unincorporated area of the township; and each county shall contribute not more than 7 cents per capita of the population in the unincorporated area of the county or portion thereof participating in the COMMISSION. The funds so contributed shall be set aside in a separate fund to amortize lease payments on the building or buildings housing the COMMISSION'S offices and shall be used for no other purpose. ~~In the event lease payments are no longer required, by reason of acquisition of a building or otherwise, then these contributions shall cease.~~ **In the event that the COMMISSION decides that further capital improvements are needed after this lease is paid out, the seven cents will continue to be committed to such purpose. If they are not needed, then these contributions shall cease.**

~~Other participating units of local government shall contribute at the rate and in the manner as may be established at the time they become a participant.~~

Associate members shall contribute at the rate and in the manner as may be established at the time they become a participant.

All current year population figures for municipalities,

townships and counties used to determine annual participation amounts shall be based on the latest Federal Census when available, or an estimate thereof made by the COMMISSION.

~~B. APPROPRIATIONS~~

~~The COMMISSION shall at its January meeting in each year, make appropriations for its expense for that year, which appropriations may be modified or supplemented from time to time during the year. The COMMISSION may contract for, accept, receive and expend funds, grants and services from the Federal Government or its agencies, from departments, agencies and instrumentalities of state or local government, or from civic sources. Any funds received by the COMMISSION from participating and nonparticipating local units of government, the Federal Government or its agencies, the State or its agencies, civic groups, individuals, or other sources shall be deposited with the treasurer of the county in which the greater portion of the population is located, or as provided for by subsequent amendment to the state statutes. Such deposits shall be made to the county of the "Mid Ohio Regional Planning Commission" and shall be paid out on the certificate of the COMMISSION and the warrant of the Auditor of such county for the purposes authorized by the Revised Code of the State of Ohio.~~

~~An audit and examination of the financial records of the COMMISSION shall be performed by the state examiners of the Bureau of Inspection and Supervision of Public Offices, Office of the Auditor of State, as required.~~

~~XI~~

~~INCLUSION OF STATUTES~~

~~All applicable statutes of the State of Ohio are incorporated herein by reference and included in these Articles of Agreement, and made a part thereof as fully as if set forth herein.~~

~~X~~

~~AMENDMENT~~

~~These Articles of Agreement may be amended by resolution adopted by the COMMISSION at any regular or special meeting and~~

confirmed by a majority of the **full members**. ~~participating units of local government.~~

XI

TIME OF TAKING EFFECT

These Articles of Agreement shall take effect upon the adoption of the resolution of adoption of these Articles of Agreement by the ~~existing Franklin County Regional Planning Commission~~ **COMMISSION** at any of its regular or special meetings, and the confirmation ~~by~~ of the Franklin County Board of County Commissioners and ~~the planning commissions~~ of a majority of the **members** ~~participating municipalities~~ within three months thereafter.

~~All officers, members, and committee appointments of the Franklin County Regional Planning Commission shall continue to serve in their present capacities until April, 1970 meeting, unless their terms of office expire and they are not reappointed or reelected.~~

~~A new participating organization shall have all the rights and duties of other participating organizations of the COMMISSION upon payment to the COMMISSION of the appropriate participation fee and notice to the COMMISSION of the person or persons representing it as a member of members on the COMMISSION.~~

XII

TAX EXEMPT STATUS AND DISSOLUTION

Notwithstanding any other provision of these articles, the organization shall not carry on any other activities not permitted to be carried on, (a) by an organization exempt from Federal Income Tax under Section 501(c)(3) of the Internal Revenue Code of 1954 (or the corresponding provision of any future United States Internal Revenue Law) or (b) by an organization, contributions to which are deductible under Section 170(c) of the Internal Revenue Code of 1954 (or the corresponding provision of any future United States Internal Revenue Law).

Upon the dissolution of the organization, the Members of the COMMISSION shall, after paying or making provision for the payment of all of the liabilities of the organization, dispose of all of

the assets of the organization in such manner **so that they can** ~~or~~
~~to a governmental unit~~ to be used exclusively for public purposes.