

**City of Lakeview Heights
385 Circle Drive
Morehead, Kentucky 40351**

Ordinance Number:	<u>4A</u>
Date:	2003
Revision:	May 2007
Merge:	
Amendment:	October 3, 2017

JOINT PLANNING COMMISSION ORDINANCE

An Order to Provide An Amendment to the Agreement for a Joint Planning Commission for the County of Rowan, the City of Morehead, Kentucky and the City of Lakeview Heights, Kentucky and to Repeal all Orders in Conflict Herewith:

NOW BE IT ORDERED BY THE FISCAL COURT OF THE COUNTY OF ROWAN AND THE CITY COUNCIL OF THE CITY OF MOREHEAD, KENTUCKY, AND THE BOARD OF COMMISSIONERS OF THE CITY OF LAKEVIEW, HEIGHTS, KENTUCKY, in order to guide and accomplish the coordinated and harmonious development of the City of Morehead, County of Rowan and City of Lakeview Heights, which will in accordance with existing future needs, best promote public health, safety, order, convenience, prosperity and the general welfare as well as efficiency and economy in the process of the development of the City of Morehead, Kentucky, County of Rowan and City of Lakeview Heights agree to have a Joint Planning Commission;

SECTION 1. KRS 100.127 requires that all agreements for joint planning units be in writing and that said agreement be adopted as an Ordinance by the legislative bodies and filed in the Office of the County Clerk.

SECTION 2. In consideration of the premises aforesaid and in further consideration of the mutual promises, covenants, and agreements herein and in consideration of the mutual benefits to the citizens of the Morehead, Rowan County and Lakeview, the parties hereby agree as follows:

- (1) There is hereby formed a joint planning commission which shall be known as the Morehead-Lakeview Heights-Rowan County Joint Planning Commission.
- (2) The Commission may engage in planning operations within its jurisdiction which shall be coterminous with its political boundaries except where otherwise provided for by KRS Chapter 100.131.
- (3) The Commission shall consist of nine (9) members. The Mayor of the City of Morehead shall appoint three (3) members who are residents of the City of

Morehead, to be approved by the Board of City Council of the City of Morehead, Kentucky. The Mayor of Lakeview Heights shall appoint three (3) members who represent the City of Lakeview Heights, to be approved by the Board of Commission of the City of Lakeview Heights. The Judge/Executive of the County of Rowan shall appoint three (3) members who are residents of the County of Rowan, to be approved by the Rowan County Fiscal Court. The oath of office shall be administered to all members of the Commission before entering upon their duties. The oath shall be administered as provided by law.

- (4) The term of office of the members shall be four (4) years and until their successor takes office. No member shall serve more than two (2) consecutive four (4) year terms.
- (5) All vacancies, whether by resignation, dismissal, or expiration of the term of office, shall be filled within sixty (60) days by the appropriate appointing authority or as otherwise provided for in KRS 100.147. A member may be removed by the appropriate appointing authority for inefficiency, neglect of duty, malfeasance or conflict of interest. The removed member shall have the right of appeal in the manner prescribed by KRS 100.157.
- (6) Member shall serve without compensation but reimbursement of expenses may be authorized
- (7) Morehead, Rowan County and Lakeview Heights shall be responsible for all required training costs for their appointed members.
- (8) The Commission shall have the general powers necessary to carry out its function in accordance with this section and KRS Chapter 100. The Commission may be assigned any powers, duties, and functions related to urban renewal or public housing by the legislative body of the City of Morehead, City of Lakeview Heights or County of Rowan. Further, each entity may assign by Ordinance additional powers to the Commission as needed.
- (9) The Commission shall conduct regular monthly meetings for the transaction of its business and adopt and approve bylaws. The bylaws adopted by the Commission shall reflect the schedule of regular meetings, the manner in which notice shall be given, date, time, place and the subject or subjects to be discussed, as well as the method of calling and conducting special meetings. A simple majority of the total membership shall constitute a quorum. After a quorum has been established, a simple majority of the quorum can transact any official business except in those instances where there is to be an adoption or amendment of the Commission's bylaws or elements of the comprehensive plan or regulations; then a vote of the simple majority of the total membership shall be necessary. Further, the

Commission shall elect, from among its members, a chairperson and vice-chairperson. In the absence of the chairperson, the vice-chairperson shall act and have all the powers and duties of the chairperson. The terms of the chairperson and vice-chairperson shall each be for one (1) year.

(10) The Commission shall keep minutes and records of all proceedings, including regulations, transactions, findings, and determinations and the number of votes for and against each question and if any member is absent or disqualified ~~from~~ voting, indicating the ~~face~~fact, all of which shall immediately after adoption be filed in the office of the county clerk as required by KRS 100.167.

(11) The Bylaws shall describe the method for administration of any funds that shall be appropriated to it by the legislative bodies. Further, should said funds be appropriated, an annual audit shall be performed of all receipts, expenditures and funds on hand by the Auditor of Public Accounts or an independent certified public accountant. Should the planning commission become an independently budgeted planning commission, the commission shall annually publish a financial statement pursuant to the requirements set forth in KRS Chapter 424.

(12) This Agreement shall remain in effect as long as at least two (2) of the parties are operating under the combination despite the fact the one party may have withdrawn.

PASSED AND ADOPTED BY THE BOARD OF COMMISSIONERS OF THE CITY OF LAKEVIEW HEIGHTS, KENTUCKY, this the third day of October 2017.

David Bolt, Mayor
City of Lakeview Heights, Kentucky

ATTEST:

Jennifer Bolt, City Clerk