



POLK COUNTY PLANNING BOARD ORDINANCE

Adopted October 7, 2013; Amended May 3, 2021

Contents

Section 1. Creation..... 3

Section 2. Composition, Term, Rotation, and Vacancies..... 3

Section 3. Organization, Rules, Meetings and Records..... 4

Section 4. Expenditures, Incurring Indebtedness, Donations. 4

Section 5. Powers and Duties.1 4

Section 6. Adoption. 5

Section 7. Effective Date..... 5

Section 1. Creation.

The Polk County Board of Commissioners hereby authorizes, reaffirms and reestablishes the Planning Board under the authority granted by the General Statutes of the State of North Carolina (NCGS), Chapter 160D-301.¹ The Polk County Planning Board shall constitute, function and may be referred to as the Planning Board.

Section 2. Composition, Term, Rotation, and Vacancies.

A. Term. All members of the Planning Board shall serve at the pleasure of the Board of Commissioners. Members shall be appointed for a two-year term commencing on February 1st and expiring on January 31st. Members appointed to serve an additional two-year term shall thereafter be ineligible for appointment for a period of one year after their separation date from the Planning Board. Each Planning Board member or alternate shall be assigned a seat that preserves the rotation schedule outlined.

B. Composition. The Planning Board shall consist of seven members and one alternate member. To the extent possible, six of the seven membership seats shall be held by one resident of each of the county's townships. The remaining Planning Board member seat and the alternate member seat shall be an at large seat.

C.¹ Rotation Schedule for All Township and At Large Seats. All Planning Board members shall serve on a rotating basis.

All Planning Board Township seats and At Large seats shall be filled in succession according to the following Rotation Schedule:

Rotation 1 (Biennially on February 1st of odd numbered years):

Tryon Township	Green Creek Township
Columbus Township	Alternate At Large(Any Township)

Rotation 2 (Biennially on February 1st of even numbered years):

Cooper Gap Township	Saluda Township
White Oak Township	At Large (Any Township)

D. Expiration of Term. The Board of Commissioners shall appoint Planning Board members or alternates to fill any expired seats. The County shall seek applicants for expiring Planning Board seats in accordance with Section F. Appointments to township seats shall to the extent possible be made to residents of the representative township in accordance with the rotation schedule as outlined at Section C.

E. Vacancy of Unexpired Term. The Board of Commissioners shall appoint Planning Board members or alternates to fill the unexpired term of any vacated seats. The County shall seek applicants to fill vacant unexpired Planning Board seats in accordance with Section F. Appointments to township seats shall to the extent possible be made to residents of the representative township in accordance with the rotation schedule as outlined at Section C. Members appointed to fill an unexpired term of one-year or less shall be eligible for reappointment to two additional two-year terms.

F.¹ Volunteer Board Policies & Procedures and Planning Board Vacancies. All Planning Board vacancies shall be publicized in accordance with the Volunteer Board Policies & Procedures. In publicizing

the vacancy the County shall seek applicants to fulfill such vacancies in accordance with the rotation schedule as outlined at Section C. If the county receives no applications meeting the rotation schedule after publicizing the vacancy for the period called for in the Volunteer Board Policies & Procedures, the township seat may then be publicized and filled as an at large seat for the term of the then vacant seat.

G. All regular members of the Planning Board shall have equal rights, privileges and duties. Members may receive a stipend, set by the Board of Commissioners, when attending a regular meeting. Regular attendance of the meetings of the Planning Board is considered a prerequisite for the maintaining of membership on the Planning Board. If a member is absent from more than two consecutive regular meetings, the member may be replaced at the discretion of the Board of Commissioners.

Section 3. Organization, Rules, Meetings and Records.

A. The Planning Board shall meet and elect a chair and vice-chair from among its regular members in February, both of whom shall serve for terms of one year or until reelected or until their successors are elected.¹

B. The Planning Board shall adopt by-laws for the transaction of its business which are consistent with this ordinance as well as the General Statutes of the State of North Carolina. The Planning Board shall keep a record of its members' attendance, and full and accurate minutes for regular, special, and emergency meetings, which shall be a public record. In the event of an evidentiary hearing, the Planning Board shall keep a record of its members' attendance, full and accurate minutes, as well as a detailed record of evidence presented, including witness testimony, which shall be a public record. The Planning Board shall schedule at least eleven meetings per year and all of its meetings shall be open to the public. There shall be a quorum of four (4) members for the purpose of taking any official action required by this ordinance.¹

C. The Planning Board may conduct a remote meeting under a declared emergency and follow the remote meeting requirements according to NCGS 166A-19.24 and 143.318, as well as any County policies.¹

Section 4. Expenditures, Incurring Indebtedness, Donations.

The expenditures of the Planning Board, exclusive of grants, shall be within the amounts appropriated for the purpose by the Board of Commissioners, and no indebtedness of which the County shall be liable shall be contracted, as authorized by law, and then only to the extent of such appropriation.

The Planning Director may receive grants and donations for the exercise of its planning functions to include training, travel and material purchases. The Planning Director shall keep appropriate records to show where any grants and donations were received from the distribution of said monies and just cause for said distribution.

Planning Board Members shall not receive donations or gifts from any source other than reimbursement for travel and training material from funds allocated through the Planning Director. Planning Board Members should not receive reimbursement in excess of the current state per diem at the time of travel and/or expense was incurred. Any and all expenses for reimbursement must be approved by the Planning Director.

Section 5. Powers and Duties.¹

The Planning Board shall have the power to perform the following duties:

- A. Prepare, review, maintain, monitor, and periodically update and recommend to the Board of Commissioners a comprehensive plan, and such other plans as deemed appropriate, and conduct ongoing related research, data collection, mapping, and analysis.
- B. Facilitate and coordinate citizen engagement and participation in the planning process.
- C. Develop and recommend policies, ordinances, development regulations, administrative procedures, and other means for carrying out plans in a coordinated and efficient manner.
- D. Advise the Board of Commissioners concerning the implementation of plans, including, but not limited to, review and comment on all zoning text amendments as required by NCGS 160D-604.
- E. Exercise any functions in the administration and enforcement of various means for carrying out plans that the Board of Commissioners may direct.
- F. Perform any other related duties that the Board of Commissioners may direct.

Section 6. Adoption.

This Ordinance to Amend the Composition and Term of Members of the Polk County Planning Board, as hereinabove set forth, is hereby adopted and enacted the 3rd day of May, 2021.

Section 7. Effective Date

All ordinances in conflict with this ordinance are hereby repealed.
This ordinance shall be effective the 3rd day of May, 2021.

Chair, Board of Commissioners

Attest:

Clerk to the Board