

**AN ORDINANCE TO ESTABLISH A
PLANNING BOARD FOR MITCHELL COUNTY, NORTH CAROLINA**

Section 1. Creation.

The Board of Commissioners of Mitchell County, North Carolina do hereby establish the Mitchell County Planning Board under the authority granted in the General Statutes of North Carolina Chapter 153A-321 and 153A-322.

Section 2. Composition and Vacancies.

The Mitchell County Planning Board, hereinafter referred to as "Board" shall consist of nine (9) members. All Board members shall be citizens and residents of Mitchell County, and shall be appointed by the Board of Commissioners. The initial appointments to the Board shall be made as follow: four (4) members shall be appointed for a term of two (2) years, and (2) members shall be appointed for a term of three (3) years, three (3) members shall be appointed for a term of two (2) years, and two (2) members shall be appointed for a term of one (1) year. As the terms of these nine (9) members expire, new appointments fro terms of three (3) years shall be made. Vacancies occurring for reasons other than expiration of appointed terms shall be for reasons other than expiration of appointed terms shall be filled as they occur by the Board of commissioners for the period of the unexpired term. Regular attendance of the Board's meetings is considered a prerequisite for the maintenance of membership on the Board.

Section 3. Organization; Rules; Meetings; and Records.

Within thirty (30) days after appointment, the Board shall meet and elect a chairman, vice-chairman, secretary, and create and fill other offices as it may determine. The term of the chairman and other officers shall be one (1) year, with eligibility for re-election. The Board shall adopt rules for transaction of this business and shall keep a record of its members' attendance, and of its resolutions, discussions, findings and recommendations, which record shall be a public record. The board shall hold at least one meeting monthly and all of its meetings shall be open to the public. There shall be a quorum of five (5) Board members for the purpose of taking an official action required by this ordinance.

Section 4. Expenditures: incurring Indebtedness; Donations.

The expenditures of the Board, exclusives of gifts or grants, shall be within the amounts appropriated for the purpose by the Board of Commissioners, and no indebtedness for which the county shall be liable shall be contracted or incurred by the said Board unless an appropriation is made by the Board of Commissioners for such purpose, as authorized by law, and then only to the extent of such appropriation. The Board shall have the right to accept gifts and donations for the exercise of its functions and may expend the money received from such gifts and donation in a manner which in the judgment of the Board is consistent with the best interest of the planning program.

Section 5. Powers and Duties.

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

- (1) Make studies of the area within its jurisdiction.
- (2) Determine objectives to be sought in the development of the study area.
- (3) Prepare and adopt plans for achieving these objectives.
- (4) Develop and recommend policies, ordinances, administrative procedures and other means of carrying out plans in a coordinated and efficient manner.
- (5) Advise the Board of Commissioners concerning the use and amendment of means for carrying out plans.
- (6) Exercise any functions in the administration and enforcement of various means for carrying out plans that the Board of Commissioner may direct.
- (7) Perform any other related duties that the Board of Commissioners may direct.

Section 6. Repeal and Effective Date.

Any ordinances or parts of ordinances in conflict herewith are hereby repealed, and this ordinance shall be in full force and effect as an ordinance of Mitchell County From and after the date of its adoption by the Board of Commissioners.

Section 7 Validity.

Should any section, paragraph, sentence, clause, or phrase of this ordinance be declared unconstitutional or invalid for any reason, the remaining portions, if otherwise valid, shall continue in full force and effect.

Adopted this 4th day of October, 1986.

Ray Bryant
Chairman, Board of Commissioners

Approved as to Form:

Hal G. Harrison 11 Sept. 1986
County Attorney

Attest:

Judy Young
County Clerk