

# Big Darby Accord Advisory Panel

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## BY LAWS OF THE BIG DARBY ACCORD ADVISORY PANEL

### A. STATEMENT OF PURPOSE

The Big Darby Accord Advisory Panel was formed by the Big Darby Accord Plan as a voluntary advisory body to serve the public interest by advising the Member Jurisdictions regarding the Panel's interpretation of the principles and standards set forth in the Plan.

A primary purpose of the Panel is to review Applications from the Member Jurisdictions for property located within the Big Darby Tributary Area confirming that land use changes and zonings are consistent with the general land use plan and plan policies, establishing open space conservation areas, ensuring adequate public facilities and overseeing adaptive management principals. (2/10/09)

### B. DEFINITIONS

1. **Applications** shall mean any proposal related to the development of a parcel that must be approved by the elected officials of the Member Jurisdiction. Examples include rezonings, major subdivision plats, and requests for variances. Any development that has already been reviewed and acted on by the Panel does not need to be resubmitted to the Panel unless there have been significant changes.
2. **Big Darby Accord Plan** shall mean the plan published on June 30, 2006. This plan may be amended in the future by action of the Member Jurisdictions.
3. **Big Darby Tributary Area** shall mean all areas that drain to the Big Darby Watershed, Franklin County.
4. **Member Jurisdictions** shall mean Columbus, Franklin County, Hilliard, Brown Township, Pleasant Township, Prairie Township and Washington Township. The following jurisdictions are eligible to become Member Jurisdictions upon adoption of the Big Darby Accord Plan by their governing body: Grove City, Village of Harrisburg, and Norwich Township. (2/10/09)

### C. MEMBERS AND OFFICERS

The Big Darby Accord Advisory Panel shall consist of appointments from the Member Jurisdictions as follows: three (3) representatives appointed by the City of Columbus; two (2) representatives appointed by Franklin County; one (1) appointed by Brown Township; one (1) appointed by Pleasant Township; one (1) appointed by Prairie Township, one (1) appointed by the City of Hilliard and one (1) at-large member who

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shall be appointed by the panel as described below. In addition, the following member may be added to the panel if the appointing jurisdiction becomes a Member Jurisdiction: one (1) representative appointed by Grove City. (1/11/11)

1. Each member shall serve a term for a period of three (3) years unless the member is replaced by his or her appointing authority. The initial terms of the members shall be staggered as follows:
  - i. 1 year terms: Columbus, Pleasant Township, Hilliard and the at large member (2/10/09)
  - ii. 2 year terms: Columbus, Franklin County and Brown Township
  - iii. 3year terms: Columbus, Franklin County, Prairie Township
2. At-large member: At its first regularly conducted meeting, the Panel shall choose an at-large member by majority vote. The at-large member may not be an employee of any of the Member Jurisdictions. The at-large member shall have all of the duties, rights and privileges of an appointed member, and shall serve for three years unless replaced by action of the Panel. It shall take a vote of two-thirds of the Panel to replace the at-large member. If a vacancy occurs for this position, the appointed members shall fill the vacancy within three months of the vacancy occurring.
3. Member jurisdictions shall have the right to appoint alternates as follows:
  - i. The member jurisdictions may appoint an alternate to the Big Darby Accord Advisory Panel; the member jurisdiction shall send a letter of appointment to the Secretary of the Big Darby Accord Advisory Panel.
  - ii. A designated alternate shall serve at the pleasure of the member jurisdiction that makes the designation.
  - iii. Once an alternate is designated for a member of the Big Darby Accord Advisory Panel, if the member is absent from a meeting, the alternate has the right to vote and participate in all proceedings and actions of the Big Darby Accord Advisory Panel at that meeting as if the alternate were the member. (10/13/09)
4. At its first regularly conducted meeting and then every January thereafter, the Panel shall organize by electing a Chairperson and Vice-Chairperson. Officers shall serve until the following January or until a successor is appointed. Officers are entitled to vote.
5. Upon expiration of a Panel member's term, such member may continue to serve until a successor is appointed.

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6. The Chairperson shall encourage regular and timely attendance by each Panel member. Each Panel member is responsible for attending each meeting or notifying the Secretary in advance of the inability to attend.
7. The Franklin County staff or its designee shall serve as Secretary of the Panel. The Secretary shall be responsible for maintaining a record of proceedings. (2/10/09)

## **D. MEETINGS**

1. The Panel shall schedule meetings on a monthly basis as needed and to hear development applications within the Big Darby Accord Planning Area. (2/10/09)
2. The Panel shall meet on the second Tuesday of each month, or such other date as approved by the Panel. If the second Tuesday is a holiday, the meeting shall be on the Monday preceding.
3. Each regular meeting shall be held at 1:30 PM in Meeting Room A, 373 South High Street, Franklin County Courthouse, unless otherwise designated by the Panel. (2/10/09)
4. All meetings of the Panel shall be open to the public and no action shall take place in Executive Session or by vote prior to any meeting.
5. All meetings shall be conducted in accordance with Roberts Rules of Order, newly revised. A quorum shall consist of five (5) members of the Panel. If a quorum is lacking, the meeting shall be postponed or canceled.
6. Unless otherwise provided by these By-laws, a motion shall pass upon the affirmative vote of a simple majority of the members present. (2/10/09)
7. The Chairperson may limit the number of persons who wish to speak regarding any agenda item to not fewer than three (3) for and three (3) persons against. The Chairperson may limit the total amount of time for support of an agenda item to fifteen (15) minutes and the total amount of time for the opposition to fifteen (15) minutes.
8. All voting shall take place by roll call vote, except for elections, which have the option to be by ballot. (2/10/09)
9. All persons wishing to speak at a meeting must register to do so with the secretary of the Panel prior to the meeting. Speaker slips may be required.

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10. Applications with requests to continue or dismiss shall be heard first. Applications requiring a full presentation to the Panel shall be heard in the order of filing. (2/10/09)

## **E. POWERS AND DUTIES**

1. The primary duty of the Panel is to review Applications for consistency with the Big Darby Accord Plan, and to make recommendations to the Member Jurisdictions regarding such Applications. In order to facilitate such review, the Panel may take the following actions:
  - i. Allow the applicant to present its request;
  - ii. Allow the staff of any of the Member Jurisdictions to make a presentation; and
  - iii. Allow proponent and opponent testimony and/or public comment.
2. The Panel shall recommend that the Member Jurisdiction approve or deny the application. The Panel may also recommend that the Member Jurisdiction approve the application with certain conditions. (2/10/09)
3. Once the Panel has voted on its recommendation, the Secretary shall prepare a Record of Action to the Member Jurisdictions with the recommendation, which shall be signed by the Secretary. Each Member Jurisdiction shall designate a person to receive the Record of Action.
4. The Panel may postpone consideration of an Application on the motion of the Applicant.
5. In addition to reviewing applications, the Panel may advise the Member Jurisdictions on other matters related to the implementation of the Big Darby Accord Plan.

## **F. PANEL STAFF**

1. Each Member Jurisdiction shall assign one or more staff to assist the Panel. The staff shall receive, process, and present applications to the Panel.
2. The staff of the Member Jurisdiction with authority over the project site shall prepare a staff report for the Panel in advance of the Panel meeting where the application will be considered. The staff report shall include the staff's opinion with regard to whether the Application is consistent the Big Darby Accord Plan and other technical requirements. The development review checklist shall be included in the report.

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3. The staff reports for each Application should be delivered to the Panel members at least three working days before the meeting that will consider the application.
4. The Secretary shall prepare a Record of Proceeding after each meeting. The Record of Proceeding shall include:
  - i. A list of panel members that attended the meeting;
  - ii. a list of cases considered by the panel;
  - iii. all motions that the panel hear, along with the vote on each motion;
  - iv. each Record of Action taken by the Panel: and
  - v. list any type of special presentation and/or speaker, etc... (2/10/09)
5. The Secretary shall provide a copy of the Record of Proceedings to each Panel member and to the staff of the Member Jurisdictions prior to the next meeting. If no corrections are necessary, the minutes will be adopted at the next meeting of the panel. The Secretary shall be responsible for maintaining the final Records of Proceedings. (2/10/09)

## **G. SUSPENSION OR AMENDMENT OF RULES**

1. These rules and regulations may be suspended only upon the affirmative vote of no fewer than eight (8) members.
2. These rules and regulations may be amended from time to time by a majority vote of the Panel membership. Such amendments shall be affective thirty (30) days after an affirmative vote.

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## SIGNATURE PAGE

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Chairperson

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Vice-Chairperson

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Member

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Member

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Member

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Member

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Member

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Member

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Member

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Member

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Member

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Date Adopted