

RESOLUTION NO. 2009-16
A RESOLUTION ESTABLISHING THE MARTIN
COUNTY ADVISORY PLAN COMMISSION

WHEREAS, on September 18, 2007, the Martin County Board of Commissioners entered into an Inter-Governmental Cooperation Agreement with the City of Loogootee, Indiana, under which the County sought and subsequently obtained grant funds from the State of Indiana to develop a County-wide Land Use Plan and a Land Use Plan specific to the City of Loogootee; and

WHEREAS, in order for the Board of Commissioners to consider the adoption of a County-wide Land Use Plan as a Comprehensive Plan under IC 36-7-4-500 seq., it is necessary for an Advisory Plan Commission to be formed; and

WHEREAS, the adoption of a comprehensive plan will assist Martin County in competing for federal funds available for infrastructure projects within Martin County, promoting economic development in Martin County, and planning for future development in Martin County; and

WHEREAS, the Board of Commissioners has determined that it is in the best interests of the citizens of Martin County, Indiana, that a county advisory plan commission be established.

NOW THEREFORE, BE IT ORDAINED by the Board of Commissioners of Martin County, Indiana, as follows:

Section 1. Establishment of the Martin County Advisory Plan Commission. The Board of Commissioners hereby establishes the Martin County Advisory Plan Commission ("Plan Commission").

Section 2. Members. The Plan Commission shall consist of Nine (9) members, who shall be appointed as follows: (a) One (1) member appointed by the Board of Commissioners from its membership; (b) One (1) member appointed by the Martin County Council from its membership; (c) the Martin County Surveyor or his designee; (d) the Martin County Agricultural Extension Educator; (d) and Five (5) citizens members appointed by the Board of Commissioners, of whom not more than three (3) may be of the same political party.

Section 3. Qualifications of Citizen Members. Citizen members must be residents of unincorporated areas of Martin County. Each citizen member shall be appointed because of the member's knowledge and experience in community affairs, the member's awareness of the social, economic, agricultural, and industrial problems of the area, and the member's interest in the development and integration of the area. A citizen member may not hold other elective or appointive office in municipal, county, or state government.

Section 4. Term. (A) The term of office of a member who is appointed from the membership of the Board of Commissioners or the Martin County Council is coextensive with the member's term of office unless the Board of Council appoints another member to serve as its representative at its first regular meeting in any year.

(B) The citizen members shall initially be appointed for the following terms of office: One (1) member for a term of one (1) year; One (1) member for a term of two (2) years; One (1) member for a term of three (3) years; and Two (2) members for a term of four (4) years. Each member's term expires on the first Monday of January of the first, second, third, or fourth year, respectively, after the year of the member's appointment. When an initial term of office of a citizen member expires, each new appointment of a citizen member is for a term of four (4) years. A citizen member serves until his successor is appointed and qualified. A citizen member is eligible for reappointment.

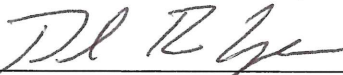
Section 5. Removal of Citizen Members. The Board of Commissioners may remove a citizen member of the plan commission for cause. The Board of Commissioners must mail notice of the removal, along with written reasons for the removal, to the citizen member at his residence of address. A citizen member who is removed may, within thirty (30) days after receiving notice of the removal, appeal the removal to the circuit or superior court of the county. The court may, pending the outcome of the appeal, order the removal or stay the removal of the citizen member.

Section 6. Vacancies. If a vacancy occurs among the plan commission members who are appointed, then the appointing authority shall appoint a member for the unexpired term of the vacating member.

Section 7. Statutory Provisions Incorporated by Reference. The provisions of IC 36-7-4 governing the powers, duties and procedures of county advisory plan commissions, and as may be amended from time to time, are herein incorporated by reference.

ADOPTED this 12 day of MAY, 2009.

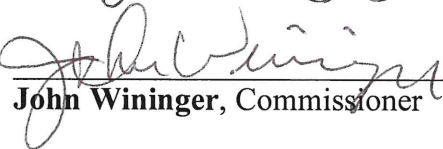
**THE BOARD OF COMMISSIONERS
OF MARTIN COUNTY, INDIANA**



Paul R. George, President

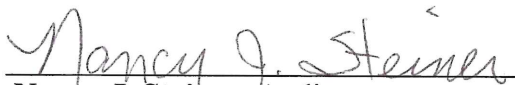


Dan J. Gregory, Commissioner



John Wininger, Commissioner

ATTEST:



Nancy J. Steiner, Auditor