

**Town of Dune Acres, Indiana  
Plan Commission  
RULES AND PROCEDURES**

**Article I, Authority and Duties**

Section 1. The Town of Dune Acres Plan Commission (hereinafter called "PC" is an advisory plan commission under the authority of IC 36-7-4-202 and the Zoning Ordinance of the Town of Dune Acres, Indiana, as amended. These rules are adopted in accordance with the requirements of IC 36-7-4-401.

Section 2. The duties of the PC shall be those set forth in IC 36-7-4-400 et seq., and such other responsibilities as may be required by state statute of Town of Dune Acres ordinance.

**Article II. Officers, Members and Employees**

Section 1. The PC shall consist of seven voting members, appointed in accordance with IC 36-7-4-207.

Section 2. At the first meeting of each calendar year, the PC shall elect from its voting membership a President and a Vice President who may not be current members of the Dune Acres Town Council. Each shall serve during the period of their membership on the PC for the balance of the calendar year or until their replacement is elected.

Section 3. The Vice President shall have authority to act as President of the PC during the absence or disability of the President.

Section 4. Upon resignation, death or removal of the President or Vice President, the Commission shall elect a successor at its next meeting.

Section 5. The PC shall appoint and fix the duties of a secretary, who is not required to be a member of the PC. The secretary shall be charged with such duties as required under state statutes, town ordinances and these rules.

Section 6. If a vacancy occurs among the members of the PC, the appointing authority shall appoint a member for the unexpired term of the vacating member. The appointing authority may remove a member from the PC for cause under IC 39-7-4-218(f). Additionally, the secretary shall notify the appointing authority in writing when a member has been absent for three consecutive meetings of the PC. Such absences may constitute cause for removal from the PC by the appointing authority under IC 36-7-4-220(c).

Section 7. The PC may appoint such employees as are necessary to the discharge of the duties of the PC. Within its budget allotment, the PC may fix the

compensation of such employees in conformity with salaries and compensation fixed up to that time by the Town Council.

### **Article III, Seal.**

The PC adopts a seal with the caption "The Seal of the Town of Dune Acres, Indiana Plan Commission." The Secretary shall employ the seal to certify official acts of the PC.

### **Article IV. Meetings.**

Section 1. The regular meetings of the PC shall be the second Monday of each month at 7:30 p.m. The meetings shall be held in the Dune Acres Town Hall, 1 East Road, Dune Acres, Indiana. The President may set an alternative date, time or place for the regular meeting or may cancel a regular meeting, provided that the notice requirements of IC 5-14-1.5 are followed.

Section 2. Applications for Improvement Location Permits shall be submitted to the Plan Commission Secretary a minimum of ten (10) days before the meeting. Applications shall contain the information set forth in Dune Acres Ordinance 46-275. The Plan Commission requests that four (4) copies of the application and accompanying documents be provided. Application fees may be submitted to the Secretary with the application or at the meeting.

Section 3. The President shall determine the agenda for regular meetings. The PC shall consider no item unless it appears on the agenda. Cases on a regular meeting agenda must have met all time, documentation and docket requirements. Any petitioner may withdraw any petition or document before the meeting at which it was to be considered.

At the direction of the President, the agenda shall be physically delivered or sent by email to all members of the PC. The agenda shall be posted for public inspection at the office of the Town Clerk.

Section 4. The President or two (2) members of the PC upon request to the secretary, may call special meetings. The secretary shall determine if a quorum will be available and if so will provide notice following the requirements of IC 5-14-1.5.

Section 5. The order of business at regular meetings shall be:

- a. Call to Order
- b. Roll Call
- c. Consideration of Minutes of Previous Meeting(s).
- d. Correspondence
- e. Old Business
- f. New Business
- g. Adjournment

Section 6. The President of the PC shall preside over meetings, decide questions of order, and preserve decorum in the meeting room. The PC shall use Robert's Rules of Order as a reference only in its' methods of conducting a meeting. The President shall pronounce the decisions of the PC for purposes of recording in the minutes.

Section 7. No one who is not a member of the PC shall be permitted to address the PC except by request and consent of the President.

#### **Article V. Official Action**

Section 1. A majority of the members of the PC who are qualified to vote shall constitute a quorum. Action of the PC shall not be official unless it is authorized at a regular or special meeting by a majority of the entire membership of the PC.

Section 2. Decisions of the PC shall be made by a vote of the members. Any member may request that the vote be by roll call.

Section 3. No member of the PC shall participate in a hearing, discussion or decision of the PC upon any matter requiring official action of the PC in which the member has a conflict of interest. A member may recuse himself or the decision to disqualify a member may be made by a majority vote of the PC.

Section 4. In the event a majority vote of the PC cannot be achieved due to absences, permitted abstentions, or disqualification, the matter shall be rescheduled for the next regular meeting.

#### **Article VI. Minutes and Records**

Section 1. The secretary of the PC shall prepare and maintain minutes of its meetings. In the event of a roll call vote, the minutes shall include the vote of each member present or indicate that the member is abstaining with permission, or not voting because of disqualification.

Section 2. The secretary may but is not required to record the meeting as an aide to the preparation of the minutes. Any recordings made are public records until the official minutes are approved.

Section 3. Draft minutes shall be presented to the PC for approval at the next succeeding regular meeting. When approved the minutes will be the official record of PC action and are public records, as defined by IC 5-14-3.

**Article(s) VII to X.** Reserved for future use

**Article XI. Amendments**

Amendments to these rules of procedure may be made by the PC at any regular or special meeting upon affirmative vote of the majority of the members of the PC. The suspension of any rule may be ordered at any meeting by the unanimous vote of the members present.

**Rules of Procedure** of the Dune Acres Plan Commission of Porter County, Indiana, approved by the affirmative vote of all members of said Plan Commission at the regular meeting of the PC held on the 14<sup>th</sup> day of December, 2015.

  
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Thomas C. Cornwell, President

Attest:

  
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Joan Rearick, Secretary