

# CHARTER AGREEMENT<sup>1</sup>

## CENTRAL SHENANDOAH PLANNING DISTRICT COMMISSION

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This Charter Agreement to organize a Planning District Commission made this 30th day of September, 1969, by and between the undersigned governmental subdivisions as authorized by the Virginia Area Development Act (Title 15. 1, Chapter 34, Sections 15. 1400, et. seq., Code of Virginia, as amended).

**NOW, THEREFORE, it is agreed that:**

### ARTICLE I NAME, LOCATION, AUTHORITY, PURPOSE

- SECTION 1.** The name of this organization shall be the Central Shenandoah Planning District Commission, hereinafter called the "COMMISSION."
- SECTION 2.** The principal office of the COMMISSION shall be in Staunton, Virginia. The location of the principal office may be changed by the concurrence of three-fourths of the COMMISSION membership provided; however, that the clerk of the governing body of each member governmental subdivision has been notified of the contemplated relocation in writing at least thirty (30) days before such a meeting.
- SECTION 3.** The COMMISSION shall be a public body corporate and politic with all powers and duties granted to it by the Virginia Area Development Act.
- SECTION 4.** The purpose of the COMMISSION shall be to promote the orderly and efficient development of the physical, social, and economic elements of the Planning District by planning, encouraging, and assisting governmental subdivisions to plan for the future.

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<sup>1</sup> Amendments to the Charter were made in June 1977; April 1988; December 5, 2007; and June 20, 2011.

**ARTICLE II  
MEMBERSHIP**

**SECTION 1.** The membership of the Central Shenandoah Planning District Commission shall be composed of one or more representatives of the member governmental subdivisions, the number of members from each governmental subdivision to be determined on the basis of population as follows:

**POPULATION**

1 to 20,000	One member who is an elected member of his/her governing body.
20,001 to 40,000	One additional member who either holds no office elected by the people or is an elected official but not a member of his/her appointing governing body.
40,001 to 60,000	One additional member who is an elected member of his/her governing body.
60,001 and above	One additional member who either holds no office elected by the people or is an elected official but not a member of his/her appointing governing body.

*(Table amended 5 December 2007; and June 20, 2011.)*

This table is established to assure that a majority of the COMMISSION members shall be elected officials of the governing bodies of the governmental subdivisions. In determining the population of counties, the numerical total shall be exclusive of participating towns which have a population of three thousand, five hundred (3,500); said towns are eligible to have one representative. The Towns over 3,500 in population are eligible to each have one elected representative on the Board, but may opt out if they choose.

**SECTION 2.** The population on which representation on the COMMISSION is based, shall be estimated annually by using the latest available estimate of the Cooper Center for Public Service of the University of Virginia. If the COMMISSION representation of a governmental subdivision is determined to be subject to change, such change shall become effective on the 1<sup>st</sup> day of July immediately following such determination. *(Amended June 20, 1977 and December 5, 2007.)*

**SECTION 3.** Vacancies on the COMMISSION shall be filled for the unexpired term in the same manner as the original appointment was made.

**SECTION 4.** Any member of the COMMISSION shall be eligible for reappointment but may be removed for cause by the governing body which appointed her/him.

**ARTICLE III  
APPOINTMENTS, TERMS OF OFFICE  
AND VOTING RIGHTS**

**SECTION 1.** Members of the COMMISSION shall be appointed by the governing body of each governmental subdivision.

**SECTION 2.** The terms of office of COMMISSION members who are also members of governing bodies shall be three years or until their successors have been appointed. In the event any elected member of the COMMISSION shall cease to be an elected member of the local governing body which she/he represents, she/he shall also cease to be a member of the COMMISSION. The appropriate governing body shall, within 30 days, appoint a successor to succeed her/him for his unexpired term.

**SECTION 3.** The term of office of non-elected members of the COMMISSION shall be three years.

**SECTION 4.** Each member shall serve for a term of three years, or until a successor shall have been appointed. *(Amended June 20, 1977.)*

- The terms of the elected appointees representing the governing bodies of the first three political jurisdictions in alphabetical order shall terminate June 30, 1970. The terms of the elected appointees of the fourth, fifth, and sixth jurisdictions in alphabetical order shall terminate June 30, 1971. The terms of the elected appointees of the seventh, eighth, ninth, and tenth jurisdictions in alphabetical order shall terminate June 30, 1972.
- The terms of the non-elected appointees of the seventh, eighth, ninth, and tenth political jurisdictions in alphabetical order shall terminate June 30, 1970. The terms of the non-elected appointees of the fourth, fifth, and sixth jurisdictions in alphabetical order shall terminate June 30, 1971. The terms of the non-elected appointees of the first, second, and third jurisdictions in alphabetical order shall terminate June 30, 1972.

**SECTION 5.** Each member of the COMMISSION shall have one equal vote on all matters before the COMMISSION, but may exercise his vote only in person and during any official meeting of the COMMISSION, regular, special, or otherwise.

**SECTION 6.** The governing body of each governmental subdivision may appoint an alternate to serve as a member of this COMMISSION, for such terms as that governing body shall set, in lieu of one member of this COMMISSION who is also a member of that governing body. *(Amended June 20, 1977.)*

**ARTICLE IV  
OFFICERS**

**SECTION 1.** The officers of the COMMISSION shall consist of a Chairman, Vice Chairman, Secretary, and Treasurer who shall be elected by and from the membership of the Executive Committee during a meeting called for said purpose, on or before July 1<sup>st</sup> following each election of the Executive Committee. *(Amended June 20, 1977.)*

**SECTION 2.** The term of each office shall be three years commencing on July 1<sup>st</sup>. An officer shall be eligible to succeed herself/himself for one additional term. The Chairman and Vice Chairman shall be elected officials. *(Amended June 20, 1977, April 18, 1988, and February 1, 2016.)*

**ARTICLE V  
ADDITION OR WITHDRAWAL OF MEMBERS**

**SECTION 1.** Any governmental subdivision within the Central Shenandoah Planning District, which is not a party to this Charter Agreement at the effective date thereof may, thereafter, join the COMMISSION provided that such governmental subdivision is eligible for membership and that it adopt and executes this Agreement.

**SECTION 2.** Any governmental subdivision may withdraw from the COMMISSION by submitting to the COMMISSION, in writing, at least ninety (90) days before the end of the COMMISSION'S then current fiscal year, a notice of intent to withdraw. Such withdrawal shall not become effective until the COMMISSION'S fiscal year has ended.

**ARTICLE VI  
APPOINTMENT OF AN EXECUTIVE COMMITTEE AND  
ADOPTION OF BYLAWS**

**SECTION 1.** The COMMISSION shall elect an Executive Committee with such powers as are granted in this Charter and the Bylaws of the COMMISSION or are otherwise delegated to it by the COMMISSION, provided that these powers are not inconsistent with provisions of the Virginia Area Development Act. *(Amended June 20, 1977.)*

**SECTION 2.** The COMMISSION may adopt Bylaws and such other rules as it deems necessary to govern its operations.

**ARTICLE VII  
MEETINGS**

**SECTION 1.** The COMMISSION shall hold regular meetings on a schedule which will be determined by the membership.

**SECTION 2.** Meetings of the COMMISSION shall be open to the public; however, the COMMISSION may hold executive meetings. All meetings of the COMMISSION and committees thereof shall be conducted in accordance with the provisions of the Virginia Freedom of Information Act.  
*(Amended June 20, 1977.)*

**ARTICLE VIII  
AMENDMENTS**

**SECTION 1.** All proposed amendments shall be submitted to the COMMISSION for its review. The COMMISSION shall have thirty (30) days from the time it received a proposed amendment in which to submit its comments to the member governmental subdivisions. No action involving an amendment to this Charter may be taken within said thirty (30) day period. This Charter Agreement may be amended, supplemented, or superseded only by concurring resolutions from at least three-fourths of the member governmental subdivisions. *(Amended June 20, 1977.)*

**ARTICLE IX  
DATE OF ORGANIZATION**

**SECTION 1.** The organization of the Central Shenandoah Planning District Commission shall be effective on the 30th day of September 1969, or at such time after this date when the Charter Agreement has been adopted and signed by that governmental subdivision whose population, when added to the aggregate population of those who have already adopted and signed the Charter Agreement, embraces the majority of the population within the Central Shenandoah Planning District Commission.