

APPROVED BY MEDINA TWP. TRUSTEES

Date 2-20-2020

Trustee Chm. [Signature]

Trustee [Signature]

Trustee [Signature]



Medina Township, Ohio

**MEETINGS
PROCEDURES
AND POLICIES**

Resolution #: 02202020 - 009

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GENERAL INFORMATION

During public meetings, decisions are made that formally set Township programs in motion, enact resolutions, adopt policy, and authorize the expenditure of Township funds.

This policy discusses the conduct of meetings, preparation for meetings, rules of procedure, and encouragement of citizen participation.

Citizens draw conclusions about the effectiveness of their governing body from the manner in which public meetings are organized and conducted. Not only are orderly and well-run meetings more enjoyable, they also help establish a more positive Township image. Disorderly and poorly conducted public meetings reflect negatively upon the Township, its governing body, and staff.

MEETINGS

Before exploring how to have an effective meeting, it's important to understand what a meeting is.

According to state law, a "meeting" means any prearranged discussion of the public business of the public body by a majority of its members. (ORC CODE 121.22 (B)(2))

Therefore, nearly every time the public body assembles as a group, a meeting occurs. While the law does provide a few exceptions, it is important to be mindful of the spirit of the law. This code section is intended to make the policy-formulation process more transparent to citizens.

Medina Township Board of Trustees hold several different types of meetings: Regular Meetings, Special Meetings, Emergency Meetings, Organizational Meetings, Work Sessions, Public Hearings, Committee Meetings, and Executive Sessions.

REGULAR MEETINGS

Regular meetings are official meetings held periodically to consider Township business, make policy decisions, approve contracts, establish budgets, and enact resolutions. Please refer to the Town Hall for the official meeting calendar.

SPECIAL MEETINGS

These meetings are usually convened to discuss and vote on one or a limited number of specific issues. Because there may be a number of people wishing to comment on the matters at hand, holding a Special Meeting to address the issue is an effective way to avoid an otherwise long and drawn out Regular Meeting. A public body shall not hold a Special Meeting unless it gives at least twenty-four hours' advance notice to the news media that have requested notification, and the notice must include the time, place, and a description of the purpose of the meeting.

EMERGENCY MEETINGS

In an emergency situation, in limited situations, the Trustees may call an "Emergency Meeting." The board must give notice of an Emergency Meeting immediately after calling the meeting, and the notice must include the time, place, and a description of the purpose of the meeting. Again, the board must deliver notice to members of the news media who have requested notification.

ORGANIZATIONAL MEETINGS

An Organizational Meeting is held at the beginning of the calendar year. The meeting must be open to the public as required by Open Meetings Law (ORC 121.22). It is primarily held to recognize any newly appointed or elected officials, organize the Board of Trustees, appoint or re-appoint employees who are not elected officials (including members of both zoning boards) and set their pay rates, set the schedule of meetings for the year, determine the holiday schedule, and conduct any other business as stated on the agenda.

WORK SESSIONS

Work Sessions provide Trustees the opportunity to meet with staff in order to delve into complex issues, discuss solutions and alternatives, give direction to staff, or finalize agendas. Work Sessions may be held immediately prior to a Regular Meeting or may be held at other times established by the board.

Premeeting Work Sessions may be used by board members to prepare for upcoming Regular Meetings. These meetings are typically less formal and are often used for information gathering; no formal votes are taken. However, it should be noted that premeeting work sessions are subject to the Open Meetings Law (ORC 121.22).

PUBLIC HEARINGS

Public Hearings allow citizens to express opinions on matters of public concern. Generally, no official action is taken during a Public Hearing. Some hearings are required by law, but they may also be used by the public body for other matters. They may be called in order to gather facts related to proposed action or to gauge public opinion by allowing citizens the opportunity to comment on a specific topic. They may also be used as town hall meetings to meet members of the public and learn about their concerns. Finally, they can be used to allow the citizens to vent their frustrations. Public Hearings may be held as a part of a Regular or Special Meeting, or they may be entirely separate meetings. Although there are many opportunities to meet, official decisions may only be made in regular, open meetings of the elected body. At such meetings, issues are publicly debated, and action is taken. Local officials must resist the temptation to make final decisions prior to official meetings and then “rubber-stamp” them at the official meeting.

EXECUTIVE SESSIONS

Meetings that are closed to the public are often referred to as Executive Sessions. Such meetings may only be held for the specific, limited purposes as authorized by law (ORC 121.22(G)), and the board must comply with statutory procedures when going into executive session, and closing an executive session. These private sessions are held with the elected officials and any staff or appointed professionals

necessary to the discussion. Executive Sessions may only be held during a Regular Meeting or Special Meeting.

PREPARING FOR MEETINGS

As an elected or appointed official, you bear a heavy burden: you will be making decisions that will determine your community's future. You owe it to your constituents to represent them well. This responsibility includes being prepared to lead. Study the issues and have the facts in hand before the meeting. Review the data, reports, and background information provided by fellow officials and staff before the meeting begins, including pertinent resolutions and comprehensive plans.

Evaluate alternatives and be prepared to debate your position effectively. A board member who comes to a meeting unprepared may unwittingly and unnecessarily slow down the meeting. The rules of order that Medina Township uses will help keep debate civil, but you also must keep your temper in check. It is embarrassing and unprofessional when a board or committee member loses control in a public meeting. In such cases, it may be prudent to have the unruly member removed from the meeting. You and your fellow officials should know who is responsible for setting the meeting agenda. Determine how the agenda is set and how you can add something to it. You also should decide as a group how the agenda will be changed, if necessary.

RULES OF PROCEDURE

Clear, up-to-date, written rules of procedure make it easier to transact Township business in an orderly manner. To be effective, officials need to know the rules of procedure for public meetings. Rules of order for public meetings should help manage the conduct of the Township officials and staff; they should not get in the way of transacting the people's business. Although there is no state law requiring adoption of a particular set of rules, Medina Township adheres to the following:

- ◆ **The rights of the organization supersede the rights of individual members.**
- ◆ **All members are equal and have equal rights to attend meetings, make motions and debate, and vote.**
- ◆ **A quorum must be present to conduct business. A quorum is the number of members required to be present to legally conduct business.**
- ◆ **The majority rules. The minority has the right to be heard but must abide by the majority's decision.**
- ◆ **Silence is consent. Nonvoting members agree to accept the majority decision.**
- ◆ **A two-thirds vote is necessary when limiting or eliminating members' rights or when changing a previous decision.**

- ◆ **A motion must directly relate to the matter under consideration, and once a speaker has been granted the floor another member may not interrupt.**
- ◆ **The presiding officer may not put a debatable motion to a vote as long as members wish to debate it.**
- ◆ **Once a matter is decided, it is generally out of order to bring up the same motion or one essentially like it at the same meeting.**
- ◆ **Personal remarks are always out of order in debate. Debate must be directed to motions and principles, not motives or personalities.**
- ◆ **The U.S. Constitution and Federal law, and the Ohio Constitution and State law override any procedural meeting rules the Township may adopt.**
- ◆ **If a board member has a conflict of interest, they will recuse or remove themselves from consideration of the matter in accordance with state law (Ohio Revised Code 102).**

THE AGENDA

The agenda constitutes the board's agreed-upon road map for the meeting. A formal, written agenda following the official order of business will be prepared in advance of each meeting. An agenda provides an outline of items to be considered and usually lists them in order of priority. The agenda must list all items that are expected to be considered at a particular meeting. It may also briefly state what action is requested of the board and any previous action taken by it. State law requires that the agenda be made available to the public and be posted at the meeting site. Although State law allows members of the board to add necessary items to the agenda after it is posted, last-minute additions that introduce material members may not have had time to study should be avoided.

A set order of business makes it easier to prepare minutes and because it provides predictability, it engenders greater public confidence.

DISCUSSION

The same basic format should be followed for discussion on each item on the agenda. The Chair does the following:

- 1) ANNOUNCES THE AGENDA ITEM, SOMETIMES BY NUMBER, CLEARLY STATING THE SUBJECT.**
- 2) INVITES REPORTS FROM STAFF, DEPARTMENT HEADS, OR OTHER PERSONS CHARGED WITH PROVIDING INFORMATION TO THE BOARD.**

- 3) **ASKS IF ANY MEMBERS HAVE ANY TECHNICAL QUESTIONS THAT REQUIRE CLARIFICATION.**
- 4) **AT A PUBLIC HEARING, OPENS THE HEARING TO PUBLIC INPUT AND AT THE END OF THE PUBLIC COMMENT SECTION, ANNOUNCES THAT PUBLIC INPUT HAS CONCLUDED OR THE PUBLIC HEARING HAS ENDED AND THAT THE BALANCE OF THE DISCUSSION WILL BE LIMITED TO THE MEMBERS OF THE BOARD, UNLESS THE BOARD WAIVES THIS RULE BY MAJORITY VOTE.**
- 5) **MAKES OR INVITES A MOTION FROM THE BOARD AND IS SECONDED BY ANOTHER MEMBER OF THE BOARD.**
- 6) **ENSURES THAT THE MOTION IS CLEARLY UNDERSTOOD, EITHER BY REPEATING IT OR BY ASKING THE SECRETARY OR THE AUTHOR OF THE MOTION TO REPEAT IT.**
- 7) **MODERATES A DISCUSSION OF THE ITEM UNTIL A ROLL CALL IS MADE FOR A VOTE OR OTHER DISPOSITION.**

Transacting the business of the council in this fashion provides consistency in the decision-making process and assures that the members of the governing body consider all available information before making a decision.

PARTICIPATING MEMBERS

In addition to the chairman (who usually presides over Trustee meetings) and the other Trustees, the Township has other elected and appointed officials to perform tasks vital to the conduct of meetings. They typically include the Fiscal Officer and Department Heads.

PRESIDING OFFICER

Usually, the Chair is the presiding officer of the board of Trustees. If the Chair is not present, the Vice-Chair will serve pro tem in the Chair's absence.

The performance of the presiding officer is the key to effective, businesslike meetings. He or she is responsible for ensuring that meetings are orderly, conducted in conformity with the rules of procedure, and progress at an appropriate pace. At the same time, the presiding officer is responsible for ensuring that officials and citizens have ample opportunity to express their views.

TRUSTEES

The Trustees are the policymakers. They share with the presiding officer the responsibility for properly conducted meetings. This responsibility includes having respect for one another's views and being willing to compromise, when possible, for the good of the Township. The Trustees must use their best judgment on how much time to spend examining a problem before reaching a decision.

Actions of the board should be deliberate and carefully weighed for possible consequences. Members will probably never know as much as they would like to about the consequences of various actions. However, failure to make a decision or to take action can create as many problems as a decision made too quickly. The board must strike the proper balance between the two extremes. In any case, the board should not allow a vocal minority that chooses to attend a particular meeting to unduly determine the outcome of a decision. Trustees must act for the good of the majority of the citizens.

FISCAL OFFICER

The Fiscal Officer is the official record keeper. They are responsible for keeping the official minutes of board meetings. The Fiscal Officer's duties may also include preparing and distributing the meeting agenda, bookkeeping and maintaining other records, preparing and processing correspondence and reports, and managing the Township office. The Fiscal Officer is responsible for making certain that all meetings are advertised in accordance with the Open Meetings Laws.

DEPARTMENT HEADS

Department Heads oversee their respective department. They supervise the implementation of policies and work towards the betterment of the community by the direction of the Trustees. They continually assess the performance of their department and its members, as well as contribute to the modification and implementation of plans. They also assist the Fiscal Officer in managing the department budgets and expenditures. They work towards effective dispersion of funds and prioritization of projects.

A Department Head usually performs many of the following tasks:

- ◆ **MANAGE AND TRACK DEPARTMENT EXPENDITURES**
- ◆ **SET STRATEGIC GOALS**
- ◆ **PROPOSE DEPARTMENTAL CHANGES**
- ◆ **MANAGE STAFF**
- ◆ **SEEK OUT FUNDING OPPORTUNITIES**
- ◆ **MANAGE DEPARTMENT RESOURCES**
- ◆ **ATTEND MEETINGS**

The role of each Department Head can be fully explored within the respective Job Description file.

TOWNSHIP ADMINISTRATOR

If the Township has an administrator, he or she should attend all meetings of the Trustees. This officer plays a significant role in preparing business to be considered at Trustees meetings. He or she is called upon to carry out the intentions of the board. The role of Township Administrator can be explored in full detail within the respective Job Description file.

A good relationship between the Trustees and the Administrator can result in a smooth transition between policy making and implementation. Such a relationship can also improve the effectiveness of board members and reduce the amount of time they must spend in meetings.

PUBLIC PARTICIPATION

Ohio law requires that virtually all meetings be open to the public, Medina Township adheres to the principle that citizens should have the right to petition their elected representatives; allowing time for public comment and debate at meetings maintains elected officials' accessibility and communicates the desirability and value of citizen input. The order of business for public meetings and the preparation of the agenda affect public participation. The Trustees must balance the desire for public participation with its legitimate need to proceed with its regular business in an orderly and expedient fashion.

The public is more likely to participate in meaningful discussion if they are familiar with the governing body's agenda process and with its rules of procedure. A printed agenda is provided for the public at each Trustee meeting.

TABLING OR POSTPONING

After considerable debate, the board still may not be ready to vote on a motion. In that case, members may propose the following:

- A. THAT THE MOTION BE POSTPONED UNTIL THE NEXT MEETING SO THAT MORE INFORMATION CAN BE GATHERED.

- B. THAT THE MOTION BE POSTPONED TEMPORARILY, SETTING IT ASIDE UNTIL LATER IN THE MEETING TO ALLOW MORE URGENT BUSINESS TO BE DEALT WITH, PERMIT AMENDMENTS TO BE DRAFTED, OR ALLOW TIME FOR IMPLICATIONS OF THE MOTION TO BE CHECKED.

- C. THAT THE MOTION BE WITHDRAWN AT THE REQUEST OF ITS MOVER, BUT ONLY IF NO MEMBER WHO IS PRESENT OBJECTS.

MEETINGS AND PUBLIC PARTICIPATION

Medina Township will provide adequate notice of meetings as required by law. Information on time and frequency can be found in the above sectioned titled **MEETINGS**.

The Township will furnish a comfortable setting for meetings. The meeting room will be well maintained, adequately lighted, at a comfortable temperature, and large enough to accommodate the public. There will be good acoustics and adequate seating for citizens. Elected officials will face the audience. The Fiscal Officer and other staff will be seated where they can best assist in the meeting.

Scheduling subjects of greatest public interest early in the meeting will be done as is reasonably possible.

As citizens enter the public meeting room, they can take a copy of the agenda. Board members, the Fiscal Officer, and staff will be identified as such.

Media reporters will be in a location where they can easily see and hear the proceedings. Upon entering the room, they may take a copy of the agenda.

Public meetings can be satisfying for participants when they are well run, focus on the objectives, and end on time.