

# Stark County Board of Developmental Disabilities

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## MEETINGS OF THE BOARD

### POLICY

The Board shall establish a regular time and place of meetings. A schedule shall be established during the annual January organizational meeting. All regular, special, and committee meetings of the Board shall be open to the public and adequate information as to the time and place shall be publicized. The Board must meet at least ten times annually in regularly scheduled sessions and maintain detailed minutes of its meetings.

The Superintendent shall develop procedures to implement this policy.

### **Ohio Revised Code Reference:**

5126.0216

<b>Historical Resolution Information</b>	<b>Reviewer(s):</b> Superintendent
<b>Date</b> <b>Resolution Number</b>	
10/18/14      10-67-14	
04/25/17      04-18-17	
04/28/20      04-22-20	

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## MEETINGS OF THE BOARD

### PROCEDURE

#### **I. Organizational Meeting**

The Board is required to hold an organizational meeting not later than January 31<sup>st</sup> of each calendar year for the purpose of electing a President, Vice President and Secretary, as well as establishing its calendar of regular Board meetings for the year. The organizational meeting shall also be the first regular Board meeting of the calendar year.

#### **II. Regular Meetings**

A “regular” board meeting is one that is held at pre-scheduled intervals and typically represents the 10 mandated meetings that are to occur annually.

No less than three days prior to the regularly scheduled meeting, a notice is provided to the media by either the Communications Manager or the Executive Assistant to the Superintendent. The notice is also posted on the agency website as well as sent to employees of the agency via electronic communication.

#### **III. Special Meetings**

A special meeting of the Board may be called by the President or the Superintendent with the knowledge and approval of the President, or by any two Board members, by serving notice of the date and place and subject matter of such meeting upon each member of the Board and news media at least 24 hours prior to the date of the meeting. Such notice shall be signed by the official or members calling the meeting. The notice is also posted on the agency website as well as sent to employees of the agency via electronic communication.

A “special meeting” means a meeting which is neither a regular meeting nor an adjournment of a regular (or special) meeting to another time or day to consider items specifically stated on the original agenda of the regular (or special) meeting. No other business than that listed in the notification may be conducted at special meetings, except in case of an emergency requiring immediate official action. In the event emergency action is necessary, the nature of the emergency must be stated in the minutes of the meeting. In the event of an emergency, the member or members calling the meeting shall notify the news media that have requested notification immediately of the time, place and purpose of the meeting.

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Special meetings shall be held and conducted in accordance with the rules and regulations applicable to all Board meetings.

## **IV. Emergency Meetings**

When an emergency requires immediate official action, the Board may hold an “emergency meeting.” In such an emergency where it is not reasonable to give a 24 hour notice, the Board must notify the news media immediately of the time, place, and purpose of the meeting. The notice will also be posted on the agency website as well as sent to employees of the agency via electronic communication.

## **V. Committee Meetings**

All committee meetings of the Board shall be open to the public and adequate information as to the time and place shall be publicized. No less than three days prior to the regularly scheduled meeting a notice is provided to the media by either the Communications Manager or the Executive Assistant to the Superintendent.

## **VI. Recess of a Meeting**

The Board may recess a regular meeting to such a time and place as it deems advisable and the meeting shall be considered a regular meeting and shall not be subject to review provided the public is given adequate information as to where and when it will reconvene.

## **VII. Board Meeting Agenda**

The Superintendent or designee shall prepare and deliver a copy of the agenda to the Board members and the media at least three (3) days prior to the regularly scheduled Board meeting.

The Superintendent in consultation with the Board President shall prepare a final agenda for each meeting of the Board. The order of business at each regularly scheduled meeting shall be:

- A. Call to Order
- B. Roll Call
- C. Disposition of Minutes of Previous Meeting
- D. Public Speaks
- E. President’s Report
- F. Superintendent’s Report
- G. Committee Reports

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- H. Old Business
- I. New Business
- J. Board Resolutions
- K. Other Business
- L. Adjournment

## VIII. Executive Session

In certain situations, the Board can adjourn from public session and deliberate privately by going into executive session. Only persons invited into the executive session may attend and the Board determines who may attend.

As per Section 121.22(g) of the Ohio Revised Code, the Board may hold an executive session only at a regular or special meeting for the sole purpose of the consideration of any of the following matters:

1. **Certain Personnel matters:** To consider the appointment, employment, dismissal, discipline, promotion, demotion, or compensation of a public employee or official, or the investigation of charges or complaints against a public employee, official, licensee, or regulated individual unless the employee, official, licensee, or regulated individual requests a public hearing. This exception cannot be used for general personnel discussions but only to discuss matters that directly affect specific personnel or regulated individuals. Also, this exception does not give a person a right to a hearing where the law does not otherwise provide one.
2. **Purchase/Lease and sale of property:** To consider the purchase/lease of property (both real and personal, tangible or intangible), or to consider the sale of competitively bid property (either real or personal) if disclosure of the information would give a competitive advantage to the other side.
3. **Legal discussions:** Conferences with the Board's attorney concerning pending or imminent court action. Court action is "pending" if a suit has been filed; imminent means it is on point of happening or impending.
4. **Collective bargaining:** Preparing for, or conducting, or reviewing collective bargaining strategy.
5. **Matters required to be kept confidential by federal or state law** can be discussed in executive session. For example, Ohio Revised Code 5126.044 prohibits disclosing the identity of an individual requesting programs or services from the Board unless the person (or parent if a minor, or guardian) agrees in writing;

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6. **Security arrangements** if details of those arrangements and emergency response protocols for the Board, if disclosed, could reasonably be expected to jeopardize the security of the Board.
7. **Trade Secrets:** This exception would rarely ever apply to a Board.

Before going into executive session, the Board must be in public session and must hold a roll call vote on the motion to go into executive session. The vote must be passed by a majority of a quorum. The motion to go into executive session must specify the purpose(s) of the session, and which exception to the Sunshine Law applies. For personnel matters, the Board must specifically state the reason (for example, "dismissal of an employee") but need not give the person's name. Finally, Board members can only deliberate, not vote, in executive session. The Board must return to public session to vote. Since no official business is conducted in executive session, a motion and vote is not required to end executive session. All Board meetings must begin and end in open session.

## IX. Meeting Minutes of the Board

The Board must promptly prepare, file, and maintain detailed minutes of all public meetings, including special and emergency meetings. This includes committee meetings.

The Superintendent, or designee, does prepare and distribute a summary of the Board's proceeding after each regularly scheduled meeting within 7 calendar days of the meeting. This document is entitled, Board Basics, and is only a summary of the Board proceeding and not the official minutes of the Board.

All Board Resolutions shall be taken from the minutes and the original certificate of resolution shall be retained in the Superintendent's Office. The Board Secretary shall certify the original copy as being true, correct, and exact. The official minutes are open to public inspection and are placed on the agency's website once approved.

The minutes of the preceding meeting(s), with any changes made by a proper motion and carried, or as directed by the Board President without objection, shall be approved by the Board.

The minutes are to contain a record of what is done, not what is said. Meeting minutes must be full and accurate and contain sufficient facts and information to permit the public to understand the reasons behind the Board's decisions.

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The Board is responsible for approving and correcting the minutes. What the Board approves is considered the final wording of the minutes.

If someone finds a mistake in the minutes at any later time, the secretary can correct it by bringing it to the attention of the Board. This is done by making a motion to amend something previously adopted, or the Board President can assume the motion and take the vote by general consent of the membership.

The official minutes and related documents of the Board shall be permanently filed in the Superintendent's office, and shall be made available to any citizen desiring to examine them at a time that is suitable to both parties.