

**BOARD OF TRUSTEES**  
**TRUSTEE MEETING PROCEDURES/ RULES**

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Pursuant to Section 504.09 of the Ohio Revised Code, the Board of Trustees of Miami Township hereby adopts the following rules to preserve order at its meetings and to facilitate the management of Township business.

## **AGENDA**

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The Township will provide to the public a written agenda for all public meetings. The agenda will be available immediately prior to the beginning of the meeting to any member of the public or the media and will be posted on the Miami Township website Agenda Center. The agenda will also be posted at the site of meeting.

The agenda for a regular meeting will always contain:

- (1) Call to Order
- (2) Pledge of Allegiance
- (3) Roll Call
- (4) Recognition of Guests
- (5) Reading of Casualties
  - a. "Operation Enduring Freedom"
  - b. First Responders
- (6) Approval of minutes from the previous meeting(s) including changes
- (7) Approval of Bills and Payroll
- (8) New Business from each Department
- (9) Public Comments
- (10) Consider Vote of Resolutions and Motions
- (11) Public Hearings
- (12) Elected Official Comments
- (13) Adjournment

The agenda should list all items that are expected to be considered at a particular meeting and should be listed by topic of discussion, generally in order of priority.

### **Deadline for Submitting Items to the Agenda**

The deadline for submitting items to the agenda is 3:00 p.m. the Thursday before the meeting. All submissions must be received by [BOTPackets@miamitownship.com](mailto:BOTPackets@miamitownship.com) by this time.

### **Adjustment of Agenda**

The agenda may be adjusted at any time if found necessary by the Board. If a matter arises during the course of the meeting which requires the immediate attention of the Board, the Board may adjust the proceeding or agenda of a regular meeting for the purpose of addressing the matter. This includes the right to omit any part of the agenda, including public comments.

## **MEETINGS**

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The Open Meetings Act applies to members of a public body when they are taking official action, conducting deliberations, or discussing the public's business. A meeting is a prearranged gathering of a majority of the members of the Board for the purpose of discussing public business. A Board member must be present in person at the meeting in order to vote; electronic or telephone conferencing is not allowed.

### **Work Retreats and Workshops**

Work retreats and workshops are still classified as meetings if the majority of the Board is present, the meeting is at a prearranged time, and the Board discusses public business. In the case of one of these work retreats/ workshops, the Board must open them to the public, properly notify the public, and maintain meeting minutes.

### **Location of Meetings**

Meetings must be held in a venue open to the public. Board of Trustees Meetings will be held at the Administrative Government Center at 2700 Lyons Road, Miami Township, Ohio 45342.

Work retreats may be held anywhere, as long as the public is adequately notified.

### **Notice of Meetings- Regular Meetings**

Regular Meetings are those that are held at prescheduled intervals. Notice of meetings must be consistent and actually reach the public and the media if requested. Notice for Board of Trustees meetings includes emailing the media by 5:00 p.m. the Monday before the meeting. All regular scheduled meetings are listed on the Miami Township website.

### **Special Meetings**

Special meetings are convened to discuss and vote on one or a limited number of specific issues.

### **Notice of Meetings- Special Meetings**

Special Meetings are any meeting other than regular meetings. The Township must provide at least 24 hours advance notification to all media outlets that have requested such notification. If the special meeting is held to discuss a particular issue, the public body may only discuss those specified issues at the meeting. If the special meeting is a rescheduled regular meeting, the meeting's purpose may be for general purposes.

### **Emergency Meetings**

An emergency meeting is a special meeting that convenes when a situation requires immediate official action. If the Board calls an emergency meeting, it must immediately notify all of the

media outlets that have specifically requested such notice. The notice must include the time, place, and purpose of the emergency meeting.

### **Requests for Notice**

The Township has established reasonable methods for the public to determine the time and place of all special and regular meetings. This includes providing any person, upon request, a reasonable advance notice of all meetings at which any specific type of business is to be discussed.

The Township will provide this notice by the mailing of all subscribers to a mailing list if the subscriber has provided self-addressed, stamped envelopes to the Township.

### **Rules of Procedure**

The Township will follow basic parliamentary procedures when conducting all meetings, following the basic outline set forth in Roberts Rules of Order, Newly Revised (10<sup>th</sup> ed. 2000). All procedures will also be in compliance with all state and federal laws, and the Township is not bound to strictly adhere to any of Roberts Rules not stated in this manual.

### **Time Allotment for Public Comments**

Each citizen wishing to express a concern to the Board will be limited to 5 minutes. If, due to time constraints or exigent circumstances, the amount of time for public participation at a regular or special meeting is not sufficient to accommodate all of the persons who wish to address the Board at its meeting, the Board may request that persons who are unable to speak at the meeting return and speak at another meeting of the Board or submit correspondence to the Board.

## **RESOLUTIONS**

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Resolutions must be adopted by the Board by a vote during a public Board meeting. The Resolution must be introduced in a written form by a member of the Board. The Resolution must only contain one subject, except for the utilization of a Consent Agenda, and the subject must be expressed in the title of the Resolution.

The Resolution will be read by title at the Board meeting, unless a majority vote of the board members require the resolution be read in full.

The Board authorizes the adoption of the resolution upon its first reading, dispensing with the requirement of ORC 504.10.

### **Voting on a Resolution**

Voting is taken by yeas and nays. Passage is a concurrence of a majority of the Trustees. An emergency resolution must be unanimous. If an emergency resolution receives a majority, but the vote is not unanimous, the resolution passes as a non-emergency measure.

### **Tabling and Postponing**

After considerable debate, the Board still may not be ready to vote on a resolution. In that case, a Trustee may propose one of the following:

- (1) That the motion be postponed until the next meeting to provide more time so that more information can be gathered.
- (2) That the motion be tabled 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. A motion to “take from the table” brings it back before the meeting. A motion to table is not debatable.
- (3) That the motion be withdrawn at the request of its mover, but only if no Trustee who is present objects.

### **Conflicts of Interest**

A Trustee is precluded from voting on an issue if there is a conflict of interest. A conflict of interest arises when the decision the Trustee is participating in affects the Trustee’s own financial interest of those of his family or business associates. If there is a conflict of interest, the Trustee must recuse himself from participating in the decision-making process. If the Trustee has a conflict of interest, he is also prohibited from discussing or lobbying for the interest with other Trustees. If the Trustee is unsure of whether there is a conflict of interest, he should contact the Ohio Ethics Commission at (614) 466-7090 and request an advisory opinion. If the advisory opinion is not possible before a vote, the Trustee should recuse himself from any deliberation and vote.

## CONSENT AGENDA

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The Board may utilize a Consent Agenda to identify a package of routine items of business, on which no discussion is warranted, as a single item on its agenda and then to cast one vote on that package, rather than to cast separate votes on each item on the package. The types of items which commonly fit into the category of business to be passed upon in such a manner include, but are not limited to, approval of minutes, payment of bills, acknowledgement of reports, approval of board communications, and routine departmental business.

A Trustee may request an item be removed from the Consent Agenda. No second is required for the removal of an item. Items removed for separate discussion will be considered after the motion to approve the Consent Agenda.

All matters under the Consent Agenda are considered by the Board to be routine and will be enacted by one motion. Each item approved under the Consent Agenda will be assigned the same motion number.

## **MEETING MINUTES**

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The Board must keep a journal of its proceedings. The Fiscal Officer is responsible for taking and preparing the minutes of the meeting and for keeping the journal of all proceedings at both regular meetings and special meetings. The Board may change the designee responsible for taking and preparing minutes by majority vote.

ORC 507.04 requires that the Fiscal Officer keep “an accurate record of the proceedings of the board of township trustees at all of its meetings.” The minutes must contain sufficient facts and information to permit the public to understand and appreciate the rationale behind the Board’s decision.

The minutes should include:

- Date of the meeting and the time the meeting was called to order
- Names of the trustees present and absent and who is presiding
- All motions which call for board action including the name of the person presenting it and the name of the person seconding it
- Any amendments to the motion
- The vote of each trustee
- Procedural motions
- Summaries of the discussions on motions, including the statements of each trustees
- Summaries of the statements made by the members of the public and the name of the speaker
- A record of all communications received by the trustees
- All announcements made at the meeting
- Time of adjournment

### **Review and Reading of the Minutes**

The Board will review the minutes of the preceding meeting at each meeting and confirm that the minutes were taken and prepared by the Fiscal Officer. Meeting minutes do not need to be read in their entirety prior to approval. Copies of the minutes have been provided in advance to the Board and the actual reading of the minutes may be waived if no trustee objects. To waive the reading of the minutes, the trustee will ask the other trustees if there are any corrections, deletions, or additions to the minutes. If none are noted, it will be sufficient for that trustee to say “If there are no corrections, deletions, or additions, the minutes stand approved.”

### **Availability of the Minutes to the Public**

The minutes must be promptly prepared, filed, and made available to the public. Both any draft versions of the minutes circulated among the Trustees and the final version of the minutes are a public record. The Township will post the minutes of the meeting on the Township website within seven days of a meeting.

## **EXECUTIVE SESSIONS**

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There are seven permissible discussion topics in an executive session:

- (1) Matters related to public employees, officials, licensees, or regulated individuals
- (2) Purchase or sale of property by the public body
- (3) Conferences with an attorney for the public body
- (4) Matters related to employee bargaining negotiations
- (5) Matters that must be kept confidential according to federal or state law
- (6) Details of security arrangements and emergency response protocols
- (7) Trade secrets of county hospitals, joint township hospitals, and municipal hospitals

### **Further Information on Permissible Discussion Topic (1)**

Matters related to public employees, officials, licensees, or regulated individuals: This includes matters of appointment, employment, dismissal, discipline, promotion, demotion, or compensation of a public employee, official, licensee, or regulated individual. The Board will also hold an executive session to consider an investigation of charges or complaints against those individuals, so long as the individual does not request the hearing to be public. This exception does not apply to disciplinary or performance-related matters concerning public officials. To hold an executive session under this exception, the motion and vote to hold the executive session must clearly state which of the approved purposes will be discussed, but the name of the person to be discussed does not have to be disclosed.

### **Invitees**

Executive sessions are an exception to the openness requirement, and the Board may, in its discretion, include or exclude any member of the public in the executive session. Only Trustees, special invitees, and such employees or staff members that the Board deems appropriate are allowed to be present for executive sessions. All others are excluded from the meeting.

### **Minutes**

Minutes are not required to be kept during executive sessions, but the minutes of the meeting must document a motion to go into executive session as well as the return to open sessions.

## **Proper Procedures**

The Board may only hold an executive session at a regular or special meeting. The meeting must always begin and end in an open session. To begin the executive session, there must be a proper motion approved by a majority of the Board using a roll call vote.

The motion for the executive session must specifically identify the permissible discussion topic which will be discussed in the executive session. It is not enough for the motion to specify one of the seven categories, or to state all seven categories, but must specify the exact topic to be discussed.

The motion to go into executive session must be seconded and followed by a roll call vote by a majority of the Trustees. The vote may not occur by acclamation or by show of hands.

The Board may not vote or take any official action in an executive session; all votes must take place in an open meeting. Any formal action that takes place in an executive session is invalid. If the Board decides to take no action regarding a pending matter, the determination should be made and voted upon in the open session upon returning from the executive session.

Once an executive session has concluded, a Trustee will make a motion to come out of executive session. This motion will be seconded and followed by a roll call vote. Both the motion to go into the executive session and the motion to come out of an executive session should be recorded in the minutes.

## **Confidentiality Policy**

The Board of Trustees and all employees agree that topics discussed in executive sessions are to remain strictly confidential, unless otherwise stated during the executive session. Discussions during executive sessions should not be disclosed for any reason, except as required by law. Any records of proceeding taken during executive sessions must be read only during further executive sessions on the same topic. Any written notes taken during executive sessions should be kept private and only used by the Trustee, employee, or invitee and not disclosed to any other person, including other Township employees.

Once a matter has been brought public out of the executive session and into a general or special meeting, the matter is no longer confidential.

Any employee who breaks the confidentiality policy of the executive session without express approval will be subject to progressive discipline, unless disclosure is otherwise allowed by state or federal law. If an elected official breaches this confidentiality, he will be censured by the Board and the county prosecutor will be notified.

## **Public Records and Executive Sessions**

The privacy afforded by the Open Meetings Act to executive session discussions does not impart confidentiality on any documents that a public body may discuss in executive session. If a

document is a public record and is not otherwise exempt under an exception to the Ohio Public Records Act, the record will still be subject to public disclosure.

### **Burden of Proof**

If the Board is challenged in a court over the nature of discussion or deliberations held in executive session, the burden of proof is on the Board to establish that one of the statutory exceptions permitted the executive session.

## **WORK SESSIONS**

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Work sessions provide the Board with the opportunity to meet with Township employees in order to delve into complex issues, discuss solutions and alternatives, give directions to employees, finalize agendas, or create consent agendas.

### **Time**

Work sessions will be held prior to OR immediately after the regular meeting, in the same room as the Board of Trustees meeting. The meeting will last no longer than one hour.

### **Topics**

Work sessions will not discuss any legislation that is on that night's agenda except in case of emergency.

### **Bringing Items to a Work Session**

If an employee would like to bring an item to a work session for discussion, he should submit a request in writing to the Administrator. The Administrator will make a determination on the item and will schedule it into a work session when appropriate and when time allows.

### **Public Involvement**

Work sessions are subject to the Open Meetings Policy and therefore have to be open to the public. However, the public has no right to participate in work sessions. Members of the public will sit in the audience, not at the table with the Trustees, and will have no right to debate or state opinions at the work sessions, but are only silent observers of the proceedings.