

SCIOTO COUNTY BOARD OF DEVELOPMENTAL DISABILITIES

POLICY 1.08 MEETINGS OF THE BOARD AND THE TRANSACTION OF BUSINESS

I. Organizational Meeting

The county board of developmental disabilities shall hold an organizational meeting no later than the thirty-first day of January of each year. At this meeting, the Board sets the date, time and place for the year's regular meetings and elects a slate of officers. For more information regarding this annual special meeting, please see the policy on Organization of the Board.

II. Regular Meetings

- A. Ohio Revised Code Section 5126.029 states: "After its annual organizational meeting, the Board shall meet in such manner and at such times as prescribed by rules adopted by the Board... in regularly scheduled sessions in accordance with Section 121.22 of the Revised Code, not including in-service training sessions." These meetings are considered 'regular meetings.'
- B. The Scioto County Board, because it currently does not share a superintendent or other administrative staff with one or more other county boards, shall meet at least 10 times per year.
- C. The date, time and place of a regular meeting of the Board may be changed by the superintendent with the knowledge and approval of the president, by the president, or a quorum of the Board, provided the policy on notification is followed.

III. Special Meetings

- A. Ohio Revised Code Section 121.22 states that a special meeting of the Board may not be held unless notice of the date and place and subject matter of such meeting has been given to the news media at least 24 hours prior to the date of such meeting. The Policy regarding to the public and news media must be followed.
- B. A "special meeting" is a meeting which is neither a regular meeting nor an adjournment of a regular (or special) meeting to another time or day. No business other 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.
- C. Other aspects of special meetings shall be conducted in accordance with the rules and policies applicable to all Board meetings.

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IV. 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, provided the public is given adequate information as to where and when it will reconvene.

V. Executive Session

A. Subject Matter Permitted in Executive Session

ORC Section 121.22 states: "All meetings of any public body are declared to be public meetings open to the public at all times." Therefore, program matters should be discussed and decisions made at public meetings of the Board. However, some matters must be discussed by the Board in private session, which is referred to as executive session.

ORC Section 121.22 permits the Board to enter into executive session for any of the following purposes:

1. To consider the appointment, employment, dismissal, discipline, promotion, demotion or compensation of a public employee or service recipient or the investigation of charges or complaints against such an individual, unless the public employee or service recipient requests a public hearing.
2. To consider the purchase of property for public purposes, the sale of property at competitive bidding, or the sale or other disposition of unneeded, obsolete, or unfit-for-agency-use property in accordance with ORC Section 505.10, if premature disclosure of information would give an unfair advantage to a person whose personal, private interest is adverse to the general public interest.
3. Details relative to security arrangements and emergency response protocols for a public body or public office, if disclosure of the matters discussed could reasonably be expected to jeopardize the security of the public body or public office..
4. Matters required to be kept confidential by federal law or regulations, or state statutes.
5. Preparing for, conducting, or reviewing negotiations or bargaining sessions with public employees concerning their compensation or other terms and conditions of their employment.

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6. Conferences with an attorney for the public body concerning disputes involving the public body that are the subject of pending or imminent court action.

B. Other Requirements.

1. An executive session will be held only as part of a regular or special meeting of the Board or a sub-committee of the Board.
2. To enter executive session, a motion must be made and approved by a majority of a quorum via a roll call vote. The motion to hold the executive session shall state which one or more of the approved purposes listed above will be discussed, but need not include the name of any person to be discussed.
3. It will be reflected in the minutes of the regular or special meeting that an executive session was held and the general subject matter of the session.
4. In accordance with law, no official action may be taken in executive session. To take final action on any matter discussed, the Board will reconvene in open session. A resolution, rule, or formal action of any kind is invalid unless adopted in an open meeting of the public body. A resolution, rule, or formal action adopted in an open meeting that results from deliberations in a meeting not open to the public is invalid unless the deliberations were for a purpose specifically listed as suitable for executive session and the executive session was held in compliance with ORC Section 121.22.
5. The Board may invite staff members, in addition to the superintendent, or others, to attend executive sessions at its discretion. No participant in executive session will disclose the details of the discussion, unless otherwise determined by the Board.

- C. The Board will not hold an executive session for the discipline of one of its members for conduct related to the performance of his/her official duties or for his/her removal from office.

VI. Transaction of Business – Voting

- A. The Board shall adopt rules for the conduct of its business and a record shall be kept of Board proceedings, which shall be open for public inspection in the office of the superintendent or the business office.

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- B. Voting may be by roll call or a voicing of 'yeas' and 'nays'. The vote shall be taken down and entered in the records of the proceedings of the Board. For a motion or resolution to pass, a majority of the members present must vote "yea".
- C. A motion to enter executive session must be by roll call vote.
- D. If a member abstains from voting, then the abstention is not a vote, and is not counted as a vote. The action will pass or fail based upon the votes cast by the other members present.

VII. Quorum

- A. At a meeting of the full board, four of seven members being present shall constitute a quorum for the transaction of business and approval of a motion or resolution. The President may vote on all matters.
- B. At a meeting of a sub-committee, a majority of the members being present shall constitute a quorum for the committee to hold a meeting and approve recommendations to make to the Board.

VIII. Agenda

The superintendent shall prepare and deliver a copy of the agenda to the members of the Board no later than five days prior to any regular 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 meeting shall be:

- A. Roll call, introductions
- B. Agenda
- C. Read minutes (vote to approve)
- D. Expenses (vote to approve)
- E. Superintendent's report
- F. Program reports
- G. Old business

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- H. Committee reports
- I. New business
- J. Miscellaneous
- K. Comments from the floor
- L. Adjournment