

BOARDS AND COMMISSIONS MEMBERSHIP HANDBOOK





MESSAGE FROM THE CLERK OF COUNCIL:

Members of boards and commissions provide an invaluable service to our City. They advise the City Council on a wide variety of subjects by making recommendations on important policy matters. Over the years, the services and programs provided by the City have expanded. Without the assistance of the various boards and commissions, the City Council could give many complex and significant matters only a perfunctory review. The detailed studies and considered advice of boards and commissions are often catalysts for innovative programs and improved services.

Serving on a board or commission can be a rewarding experience for community service-minded residents. It is an excellent way to participate in the functioning of local government and to make a personal contribution to the improvement of our community. If we are to have government "of the people, by the people and for the people," we must have the continued participation of the many dedicated board and commission members. Making local government effective and responsive is everybody's responsibility.

On behalf of the City Council, I wish to thank each board and commission for their service and extend an invitation to all residents of the City to give serious consideration to serving on a citizens' advisory body.

Belinda Anderson, Clerk of Council 2020

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INTRODUCTION

Welcome to the City of Oberlin Boards and Commissions Handbook. This publication is designed to inform and educate City board and commission members about their roles and responsibilities and how to properly conduct meetings.

Following the procedures and requirements outlined here will enable City boards and commissions to conduct themselves in accordance with the laws of the State of Ohio and the policies and procedures established by the City of Oberlin.

If you have any questions about the information included in the handbook, please contact the City of Oberlin Clerk of Council's office at 440-775-7203.

CITY OF OBERLIN GOVERNMENTAL STRUCTURE

City and City Charter:

The City Charter is a governing document that provides a level of flexibility in local decision-making. It contains provisions that guide the organizational structure, duties and responsibilities of elected and appointed officials.

Council- Manager Form of Government:

The City of Oberlin operates under a Council–Manager form of government which combines the strong political leadership of elected officials with the strong managerial experience of an appointed manager.

The City Manager is appointed by and reports directly to the City Council. As the Chief Executive Officer (CEO), the City Manager is responsible for directing the city’s day-to-day operations and carrying out the policies set forth by the City Council.

The legislative powers of the City of Oberlin are vested in and exercised by a Council of seven (7) members elected at large in a nonpartisan election held in odd numbered years for a term of two (2) years. Members shall serve concurrently and no member shall serve more than five (5) consecutive terms. City Council has the power to pass ordinances, adopt resolutions, appoint officers, and board and commission members, as specified in the charter.

CITY BOARDS AND COMMISSIONS

Purpose of City Boards and Commissions:

City boards and commissions are established by the City Council under the City Charter or through the passing of an ordinance or resolution. The specific duties of the board or commission are defined in the City Charter or the establishing ordinance or resolution. Members of the board or commission are appointed by the City Council.

Creation of City Boards and Commissions:

City Council by ordinance may create, change or abolish offices, commissions, departments, boards, committees or agencies, other than those established by its Charter. City Council by ordinance may assign additional functions or duties to such entities as established by its City Charter, but may not discontinue or assign to any other entity any function or duty assigned by its Charter to a particular entity. (Section VII, Oberlin City Charter).

Each board or commission is unique in its purpose, mission and role. Boards and commissions may act in an advisory, rule- making or in a quasi-judicial capacity or a combination. For example, the Planning Commission makes recommendations to Council on matters relating to zoning but also issues approvals for subdivisions, commercial developments, the subdivision of land and

authorization for signs. The Board of Zoning Appeals conducts hearings on appeal and authorizes variances from the provisions of the Zoning Code when warranted. The Civil Service Commission makes rules governing the Civil Service and makes recommendations regarding those rules to Council for approval. It is important that members of boards and commissions be familiar with the governing statutes or other authorizing directives in order to understand the framework within which the board must operate. Copies of a boards or commissions governing statutes or authority may be obtained from the board and commission's staff liaison or the Clerk of Council's office.

Established City Boards and Commissions:

The following City boards and commissions have been established by the Oberlin City Charter.

- Civil Service Commission
- Planning Commission
- Public Utilities Commission
- Recreation Commission
- Zoning Board of Appeals

The following City boards and commissions have been established by an ordinance or a resolution passed by Oberlin City Council.

- Fire Code Board of Appeals
- Historic Preservation Commission
- Housing Renewal Commission
- Human Relations Commission
- Income Tax Board of Review
- Oberlin Community Improvement Corporation Board
- Open Space and Visual Environment Commission
- Records Commission
- Resource Conservation Recovery Commission
- Underground Railroad Center Implementation Team
- Volunteer Firefighter's Dependents Board

In addition to the boards listed there are external boards and commissions that are established by state statute or other agencies that require an appointment or representative of Oberlin City Council or its designee. They are as follows:

- Library Board of Trustees
- Lorain County General Health District Board
- Central Lorain County Joint Ambulance District Board
- Ohio Municipal Electric Association – OMEA
- Senior Citizens Board
- Lorain County Community Action Agency

Citizen Participation through Boards and Commissions:

Oberlin citizens have enjoyed a long tradition of participation in local government. Through representation on boards and commissions, Oberlin residents are offered an important avenue to help create effective and equitable policies. Citizen involvement contributes to the success of government and the quality of life enjoyed by our families and communities.

Citizen participation encompasses a broad range of issues, such as the environment and natural resources, social services, planning, economic development, and parks and recreation. Some boards appointed by the City Council help to shape policy affecting Oberlin residents and some serve solely in an advisory capacity. In selecting members, City Council strives to choose members of diverse backgrounds with relevant skills and interests. It also attempts to involve as many residents as possible. This helps ensure that decisions reached and services rendered more adequately reflect the Oberlin population being served.

Eligibility for City Boards and Commissions:

Members of City boards and commissions are required to be residents and registered and qualified electors of the Municipality at the time of their appointment unless otherwise authorized by ordinance. Change of residence to outside the corporate limits of the Municipality shall automatically end the term of any board or commission member.

Screening and Appointments to City Boards and Commissions:

Each year, prior to the City Council taking any action to fill the vacancies anticipated due to expiring terms, the opportunity to serve on Oberlin boards, committees and commissions shall be advertised in accordance with resolution of City Council. (Appendix A)

Orientation:

Following appointment, new board and commission members shall be provided with an orientation session organized by the Clerk of Council. The orientation includes: an overview of the expectations, responsibilities and roles of Oberlin boards, commissions and committees; a review of conflict of interest, ethics and other legal issues affecting board and commission members; and, a review of parliamentary procedures. New members of boards and commissions shall also receive orientation as to the mission, procedure and work of their specific group by its chair and assigned staff.

Length of Service and Terms of Office:

Generally, the terms of office for City boards and commissions vary from one to three-year terms. The Oberlin City Charter or originating ordinance or resolution establishes the length of service and terms of office for appointments.

Being an Effective Board Member:

Despite the different sizes and types of Oberlin boards and commissions, it is imperative that board and commission members recognize they are in a critical position to shape and influence decisions and actions. It is important that each member keeps informed and up-to-date on issues, legislative activity and statutes affecting their board or commission.

The Advisory Role. Members of advisory bodies provide an important link among the public, the City Council and the City Manager. The information that members provide about community needs and opinions can have a profound effect on city policies and lead to better service.

Rule Making. Boards and commissions shall abide by the procedures, rules, and regulations duly adopted by the body and approved by City Council. A template for or use by boards and commission template attached is attached as Appendix B.

Attendance. Regular attendance is essential so that decisions will represent the opinions of the board or commission as a whole. In addition, regular attendance enables members to keep abreast of concerns and helps ensure that issues are examined from a variety of perspectives. The City of Oberlin Charter, Section XIX (A), defines attendance requirements. A person who misses more than three (3) consecutive meetings shall be subject to removal by City Council.

Preparation. Adequate preparation is another requisite for effective board and commission membership. Assigned staff provides reports, proposals and other information to help with informed decision-making. Upon request, additional information can also be provided to assist thoughtful and appropriate consideration. In a nutshell, effective board and commission members:

- Attend all board or commission meetings.
- Are well prepared for meetings.
- Recognize that serving the public interest is the top priority.
- Recognize that the board or commission must operate in an open and public manner.
- Are knowledgeable about the legislative process and issues affecting the board or commission.
- Examine all available evidence before making a judgment.
- Communicate well and participate in board or commission discussions.
- Are aware that individual members do not speak for the board or commission. Any public statement must be made by the Chair, or representative as voted by the board or commission.
- Exhibit a willingness to work with the board or commission in making decisions.
- Recognize that compromise may be necessary to reach consensus.
- Do not let personal feelings toward other members, members of Council or City employees interfere with their judgment

- Are familiar with Parliamentary Procedures (i.e., motions, amendments, respectful of the rules of decorum in debate)

Resignations. If an appointed member is unable to complete a term, the staff liaison is to inform the Clerk of Council's office. In order for the vacant position to be filled, a letter of resignation must be sent to the Clerk of Council's office, addressed to the Council President, indicating the effective resignation date.

Removal: Board and commission members can be removed from their position by a majority vote of City Council. Members can be removed for missing more than three (3) consecutive meetings that are not excused by the board or commission or for inappropriate or disruptive conduct.

ROLES

Role of the Chair: The board or commission Chair has several main responsibilities, including presiding over the meetings and conducting its business in an orderly fashion. In addition to these central duties, the Chair often acts informally as the board or commission representative to the outside world. The Chair does not have the authority to speak on behalf of the board/commission without formal approval by the majority of the members. If making public statements that have not been approved by the board, the Chair should be very clear that he/she is speaking as a citizen, not as a member of the board. The role of the Chair also includes compiling the agenda with the staff liaison prior to each board or commission meeting, ensuring that business is properly conducted, periodically reviewing applicable Charter, ordinances, or resolutions to verify that the duties are being met, and processes are being followed. Co-chairs are not permissible.

Role of the Vice Chair: The Vice Chair shall serve as the presiding officer in the absence of the Chair, and assumes the duties of the Chair.

Council Liaison:

Council members are appointed to serve as liaisons to boards or commissions. Generally, the role of the Council liaison is to establish an informational "bridge" between the board and commission to which the Council member is assigned. The Council liaison may assist in discussions, but should make no attempt to control the discussion or influence subsequent votes. The Council member liaison is not a member of the board or commission and does not vote. The Council liaison should inform the City Council of activities of the board or commission at their regular meetings, especially of those actions that might eventually come before City Council. This can include requesting resources to the City Council that may be needed to assist the boards and commissions to complete their assignments.

Staff Liaison:

Staff liaisons are designated by the City Manager to support the various boards and commissions. This is intended to assure communication and coordinate activity. Staff liaisons are not directed by the boards or commissions, but rather by the City Manager. Staff liaisons shall work closely with the Chair and the members of the boards or commissions to assure orderly meetings are conducted. Staff liaisons likely have knowledge of the subject being discussed, and may be a part of the meeting deliberations.

The following are additional duties of the staff liaison in support of boards and commissions:

- Advise the City Manager of any topics or recommendations requiring staff time and funds beyond reasonable staff duties for the board or commission.
- Provide the Clerk of Council's office with a meeting schedule for the purpose of reserving meeting space in advance.
- Make advance public notice of any meeting or meeting change or cancellation.
- Provide a notice to the Clerk of any meeting date or location changes or cancellations for dissemination to the City Council. Post public notice of any meeting or meeting change or cancellation at the entrance to City Hall and on the City's website. Note changes to the meeting date to the Community Calendar on the City's website.
- Set up the meeting room and ensure that the digital audio/video recording system is operable when used.
- Schedule and preside over the election of a Chair and Vice Chair at the first meeting of the new term of the board or commission.
- Ensure that a sign-in sheet is available for appeals hearing and keep track of those who are in attendance.
- Arrange for a court reporter when applicable.
- Monitor member absences and provide written notification to any member who has reached the maximum number of absences, according to the City policy.
- Develop an agenda and agenda materials and attachments for the meeting in consultation with the board or commission Chair and the City Manager at a minimum of 72 hours in advance of a meeting and transmit copies of the agenda to the board or commission members and the City Manager. Post the agenda and meeting packet to the Agenda Quick System. Preference of posting is the Friday preceding the meeting date.
- Complete minutes for the board and commission meeting assigned. Ensure that all approved minutes are posted to the Agenda Quick System.
- Ensure that a complete file for each meeting is maintained pursuant to Ohio statutes and City of Oberlin retention schedules for public records. This includes but is not limited to:
 - Agenda for the meeting
 - Copies of all materials handed out or displayed during meeting presentations
 - All agenda materials provided to the board or commission
 - Minutes for the meeting

- Ensure that agendas, minutes and annual reports are submitted to the Clerk of Council (Section XIX of the Oberlin City Charter)
- Assist with background information and expertise
- Other duties as assigned by the City Manager to support of the efforts of the board and commission.

The Role of the Law Director:

Pursuant to the City Charter, the Law Director, “serves as the legal advisor to and attorney for the Municipal Corporation, and for all officers, boards and commissions of the Municipal Corporation in matters relating to their official duties.” The Law Director may attend board and commission meetings and may meet with the Chair of boards or commissions. The Law Director may issue opinion, orally or in writing, on matters affecting the board or commission in response to a written request of the board or commission chair. The Council Liaison should be consulted prior to making a request to meet with the Law Director or for an opinion on matters relating to the matter before the board or commission.

LAWS AFFECTING BOARD ACTIVITIES

Restrictions and Requirements:

Board and commission members must be aware of certain restrictions and requirements affecting the office. Board and commission members must be familiar with and operate at all times within governing statutes, rules, and procedures.

Open Meetings:

The Ohio Open Meetings Act requires public bodies in Ohio to take official action and conduct all deliberations upon official business only in open meetings where the public may attend and observe. The Ohio Revised Code defines a public body as any board, committee, commission, council or similar decision-making body of a state agency, institution or authority, and any legislative authority or board, commission, committee, council, agency, authority or similar decision-making body of any county, township, municipal corporation, school district, or other political subdivision or local public institution and any committee or subcommittee of the aforementioned bodies.

Notification of Meetings. The Ohio Open Meetings Act requires that public bodies provide advance notice to the public indicating when and where each meeting will take place and, in the case of special meetings, the specific topics that the public body will discuss.

Record of the Meeting. The public body must take full and accurate minutes of all meetings and make these minutes available to the public, except in the case of permissible executive sessions.

Executive Sessions. Executive sessions are closed-door sessions convened by the public body, after a roll call vote, and attended by only the members of the public body and persons they invite. A public body may hold an executive session only for a few specific purposes, which are catalogued in Section 149.22(G)(2)-(8) of the Ohio Revised Code. Boards and commissions shall not adjourn to an executive session without prior consultation with the Law Director.

Accessibility Requirements. To afford members of the public who have disabilities an equal opportunity to participate, meetings subject to the Ohio Open Meetings Act are to be held in facilities which are wheelchair accessible. Public notices about such meetings must include a statement that disabled members of the community who may need assistance should contact City Hall for assistance. Notices should include the name and phone number of the individual responsible for coordinating such requests.

Public Disclosure – The Ohio Public Records Act:

It is the policy of the City of Oberlin that openness leads to a better-informed citizenry, which leads to better government and better public policy. It is the policy of the City of Oberlin to strictly adhere to the Public Records Act. Therefore, boards of the municipality are required to have available for public inspection and copying their public records. Public records in the City's Public Records Policy defines records as including the following: Any document – paper, electronic (including but not limited to, email), or other format-that is created or received by, or comes under the jurisdiction of a public office that documents the organization, functions, policies, decisions, procedures, operations, or other activities of the office. All records meeting this definition are public unless they are specifically exempt from disclosure under the Ohio Revised Code. For additional information on disclosure requirements and exemptions from disclosure, refer to the Ohio Revised Code Section 149.43 or consult with the City Law Director.

Ohio Ethics:

The Ohio Ethics Law requires that new public officials and employees receive a copy of the Ohio Ethics Law related statutes within 15 days of beginning the performance of their official duties. The copy of the law must be provided by the public agency that the public official or employee serves or the appointing authority. The new public official or employee must acknowledge receipt of the law in writing.

RULES OF PROCEDURE

Each board should have a set of rules to direct and clarify its actions, procedures and organization. Board members are expected to adhere to all procedures, rules, regulations and relevant statutes. These are the guidelines by which a board functions and they define the primary characteristics of an organization, prescribe how it should function, and include rules that are so important that they may not be changed without prior notice to members and formal vote and agreement by a majority

of members. Council provides a template of such rules of procedures to assist the various boards and commissions in drafting their document.

Rosenberg's Rules of Order

In regard to matters that are not covered by these rules, or where these rules do not appear to give clear guidance, the latest edition of Rosenberg's Rules of Order shall govern (Appendix C).

Quorum:

A quorum is a majority of the members of the board or commission. The presence of a quorum is necessary to conduct official business.

In the absence of a quorum, the only actions that may be taken are to fix a time for adjournment, adjourn, recess or take measures to obtain a quorum (such as contacting absent members).

Order of Business:

After the presiding officer has called the meeting to order, a board generally follows the order of business specified in its rules. If a board has not adopted an order of business, the procedure below is generally followed:

1. Roll call
2. Reading and approving of minutes of previous meeting(s).
3. Unfinished or old business (matters introduced in previous meetings).
4. New business (matters initiated in present meeting)
5. Other Business
6. Adjourn

The Chair and Voting:

City board and commission Chairs may vote just as any other member. A Chair has only one vote. Voting by secret ballot is prohibited by the open meetings law. Members must also be present in order to vote and may not abstain.

PUBLIC SPEAKING

Speaking Publicly or Testifying at Hearings:

Board and commission members occasionally have an opportunity to speak before Council or testify at hearings conducted by legislative, local government or community committees. Any statements made on behalf of the board or commission must be made with the approval of the board or commission. Otherwise, the member must make clear that the views expressed are

personal only. Official testimony should be communicated to the board and commission in advance if possible, and forwarded to the City Council through the Council Liaison.

Effective Public Statements. To provide effective public statements or testimony, members should keep the following guidelines in mind:

- Public statements should be brief, concise and truthful.
- Avoid reading lengthy written testimony; instead, orally highlight important points in the written report.
- If others are offering similar testimony, try to coordinate information to avoid repetition.
- Avoid being overly technical.
- If you are unable to answer a question, offer to provide a written response later and always follow through.
- If you must give a personal opinion, make sure that the committee understands that you are not speaking for the board but for yourself.
- Staff members find it helpful to receive copies of written testimony prior to the hearing

The News Media:

The news media has the important function of informing the public about local government operations. In doing so, it provides a valuable communications link with the community. It is important to maintain a truthful, cooperative and open relationship with the media without violating privacy or other citizen rights. When possible, please refer all media inquiries to Chair of the board or commission, Council Liaison, or City Manager. The guidelines that are used by the representatives when working with the media are as follows:

- Be as open as possible and keep your focus on the business of the board or commission. Personal opinions, especially those of other people, are inappropriate. The news media is not the avenue to air dissatisfactions or carry on conflicts among board members or agency employees.
- If you do not know the answer to a question or are unsure about an issue, refer the matter to the Council liaison or City Manager.
- A “wise” board anticipates when an event in the community will stir the interest of the media. In this situation, a press release should be developed.
- In order to coordinate information, please contact the Council liaison or City Manager.
- Be aware that the comments you make in public may also have to be repeated in a court of law. Do not risk your personal integrity or that of another by thoughtless or unwarranted remarks.

TIPS FOR NEW COMMISSION MEMBERS

It is the City Council's responsibility to appoint board and commission members who possess experience and, if possible expertise in the subject matter of the board or commission. Sometimes boards and commissions need assistance that require additional resources. Requests for assistance shall be made in writing and provided to the Council Liaison who may submit the request to City Council for consideration. Each September boards and commissions should work with staff to set goals for the coming year(s) and anticipated budgetary needs. In this way, Council can add anticipated budgetary expenditures to the annual budget.

It is important that the City Council, boards, commissions, and assigned staff develop ways to foster a mutually beneficial relationship. Clarity regarding roles, duties, and expectations should be viewed as a top priority. The staff liaison is there to assist in the work of the board and commission.

CLOSING THOUGHTS

As an appointed official, your role in good government is indispensable and is greatly appreciated. Your participation of Oberlin government will affect many and will enhance the common good of the Oberlin community. Through your work and commitment, you will make a difference in Oberlin and in the world.