



**RULES OF PROCEDURE FOR MEETINGS OF THE
UNION TOWNSHIP BOARD OF TRUSTEES**

**UNION TOWNSHIP, CLERMONT COUNTY, OHIO
ADOPTED 2022**

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I. PURPOSE

The purpose of the Rules of Procedure (hereinafter referred to as "Rules") is to guide the Board of Trustees of Union Township, Clermont County, Ohio (hereinafter referred to as "Board"), staff, and members of the public in preparing for and conducting sessions of the Board.

II. DEFINITIONS

The following definitions shall apply with regard to these Rules:

- **Board of Trustees** - (also referred herein as "Board") shall mean the duly elected or appointed persons serving as the Township Trustees of Union Township, Clermont County, Ohio
- **Fiscal Officer** - shall mean the duly elected or appointed person serving as the Township Fiscal Officer for Union Township, Clermont County, Ohio. The Fiscal Officer shall serve as the clerk of the Township Board of Trustees during any Regular, Special, or Emergency Meeting, unless a Clerk Pro Tem is designated by the Board in the event of the Fiscal Officer's absence
- **Clerk Pro Tem** - shall mean a member of the Board of Trustees, nominated and affirmed by Majority Vote by the attending Board Members in the absence of the Fiscal Officer, designated as such for purposes of calling the role, transcribing minutes, documenting approval of specific meeting items or resolutions, or fulfilling other purposes responsibilities required in furtherance of conducting the business of the Board during the Fiscal Officer's absence. The Clerk Pro-Tem may further delegate any part of the Clerk Pro-Tem duties to any staff member in attendance at the Regular Meeting where a Clerk Pro-Tem is designated.
- **Member** - a member of the Board of Township Trustees of Union Township, Clermont County, Ohio.
- **Regular Meeting Agenda** - a list of items to be acted upon and matters to be considered by the Board of Trustees.
- **Special Meeting Agenda** - a list of specific items to be acted upon at a properly noticed *Special Meeting* consistent with the published purpose of said special meeting.
- **New Business** - any single item, resolution, motion, or group of items to be considered and acted upon, discussed, or deliberated by the Board of Trustees, as part of the *Regular Meeting Agenda*.
- **Old Business** - any single item, resolution, motion, or group of items to be considered and acted upon, discussed, or deliberated by the Board of Trustees, having been first tabled at any meeting prior to the meeting at which said item may be subsequently considered as part of the *Regular Meeting Agenda*.
- **Regular Meeting** - a regularly scheduled and noticed meeting of the Board of Township Trustees of Union Township, Clermont County, Ohio held for purposes of conducting the public business of the Township. These meetings may be split between business meetings and work sessions. The agenda for each meeting shall designate whether a business meeting or working session.
- **Executive Session** - Executive session is authorized for only those limited purposes set forth in Ohio Revised Code 121.22 (G). Executive sessions of the Board are not open to the public or

media and only individuals requested or ordered to attend are permitted to attend.

- **Special Meeting** – the Board of Trustees of Union Township, Clermont County, Ohio hereby establishes, by rule, a reasonable method that allows the public to determine the time, place, and purpose of Special Meetings, as follows:

- 1) The Board shall provide, or shall otherwise cause to be provided, at least 24 hours advance notification of Special Meetings to all media outlets that have requested such notification, except in the event of an emergency requiring immediate official action (see *emergency sessions*). The meeting notice shall state the date, time, location, and shall clearly state the specific purpose or topic(s) to be discussed at the Special Meeting.
- 2) The Board shall post, or shall otherwise cause to be posted, at least 24 hours advance notification of special meetings to the Township Website, social media, or other similar platforms or such other customary locations available to, and maintained by the Township, where the Special Meeting notice may be viewed by the public. The meeting notice shall specify the date, time, location and shall clearly state the specific the purpose or topic(s) to be discussed at the Special Meeting.
- 3) In the event that a Regular Meeting is rescheduled to a later date for any reason whatsoever, that meeting shall not be considered to be a Special Meeting of the Board. In the event that a Regular Meeting is rescheduled, the rescheduling notice and/or new meeting notice are to be provided at least 24 hours in advance, in the same manner as Special Meeting Notices are posted. The corresponding notice shall clearly indicate that the intended purpose of the meeting is to reschedule a Regular Meeting of the Board, where the general business of the Township will be conducted.
- 4) Any person may request to receive advance notification of all meetings at which a specific type of public business will be discussed. That person must provide to the Fiscal Officer their name, the type of public business they would like to be notified of when discussed, and a self-addressed, stamped envelope. When the requested type of public business is discussed, the Fiscal Officer shall send the meeting Agenda to the person who has requested to receive such notice in the provided self-addressed, stamped envelope.

- **Emergency Meetings** - An Emergency Meeting is a type of *special meeting* that the Board convenes when a situation requires immediate official action. Rather than the 24-hours advance notice usually required, a public body scheduling an *emergency meeting* must notify all media outlets that have specifically requested such notice of the time, place and purpose of the emergency meeting. The purpose statement must comport with the specificity requirements outlined for Special Meetings.

III. AGENDA PREPARATION

The Union Township Fiscal Officer and the Township Administrator shall collaborate to prepare a draft Agenda for each meeting, with support from the Township administrative staff. Department Heads or administrative staff seeking to add an item to the Agenda must provide a memorandum to the Township Administrator to have an item added to the Agenda for consideration by the Board. Such request and memorandum shall be accompanied by any supporting documentation available relative to and supportive of the request. Such items shall be submitted to the Township Administrator not later than the close of business on the Thursday preceding the next Regular Board of Trustees Meeting; provided, however, that the Township Administrator may waive the submittal deadline on an as-needed basis. Notwithstanding the foregoing, nothing in this rule shall prevent any modification or addition to the Agenda by the Fiscal Officer.

The Draft Agenda shall include, for each item of business, a brief description of the item to be considered. The Draft Agenda, along with Department Reports, and all other supporting documentation available shall be then distributed to the Board of Trustees, Fiscal Officer, and Department Heads not later than the close of business on the Friday preceding the next Regular Meeting. Such distribution may occur electronically. Purchase orders for consideration by the Board of Trustees may be continually updated and distributed at any time prior to the published meeting date and time. Additionally, after distribution to the Board of Trustees, the Draft Agenda shall then be published to the Township website for view by the public at the earliest possible opportunity thereafter.

Upon providing notice to the Board of Trustees and Fiscal Officer, the Township Administrator may waive this distribution and publication requirement in the event that the timely distribution of the Agenda, purchase orders, or supporting documentation is not possible or reasonably practical due to absence of staff due to scheduled leave, illness or any other reason that would prevent the distribution and publication in accordance with the established schedule. Any subsequent updates to the Draft Agenda shall be distributed and published in a manner consistent with the distribution and publication procedures established in this Section. Copies of any Draft Agenda item or supporting documentation shall be available for public inspection upon request at the Township Administrative Offices, during regular business hours.

The Board of Trustees recognizes that from time to time, certain time-sensitive business items may arise that require action from the Board after the publication of the Draft Agenda. In such instance the Township Administrator and/or Fiscal Officer may add the item(s) to the Draft Agenda prior to the published Regular Meeting date and time, and shall then distribute the modified Draft Agenda in accordance with the procedures established in this Section. Additionally, the Board of Trustees, Fiscal Officer, or Township Administrator may request during any Regular Meeting, that additional item(s) be added to the Agenda. Upon receipt of an affirmative Majority Vote by the Board during any Regular Meeting, the additional item(s) may then be added to the Agenda for consideration during that meeting. No Agenda Item shall be added to any Special Meeting or Emergency Meeting Agenda, unless directly related to the purpose of the Special or Emergency Meeting stated in the published Special Meeting or Emergency Meeting Notice.

IV. BOARD MEETINGS

With the exception of *executive sessions*, all meetings of the Board are open to the public and to representatives of the media. No person shall disturb a lawful meeting of the Board of Trustees, nor shall any person obstruct the official business of the Board. During Board Meetings, only the business of the Board will be addressed. Roberts Rules of Order have been adopted by the Board.

A. Duties of the Chairman

The Board Chairman shall preside at all sessions of the Board. The Board Chairman shall have the following duties and powers:

1. To rule motions in or out of order including the right to rule out of order any motion patently offered for obstructive or dilatory purposes;
2. To control debate among *Members* unless relinquishing control to another *Member*;
3. To determine whether a speaker's remarks, gesture, or display obstructs or interferes with the session and to entertain and rule on objections from other *Members* on this ground;
4. To ensure compliance with the Rules and refer questions on the Rules and Meeting procedures to the Township Law Director, if applicable, at the Chairman's sole discretion;
5. To call a brief recess at any time;
6. To call a recess with a specific date, time and location of reconvening;
7. To adjourn in an emergency;
8. To ensure these Rules are followed and the discretion to vary from them; and,
9. To recognize and call for the nomination of a Clerk Pro-Tem in the absence of the Fiscal Officer.

B. Duties of the Vice-Chairman

The Vice-Chairman shall perform the duties of the Chairman in the absence of the Chairman. Upon request by the Chairman, the Vice-Chairman may perform the duties of the Chairman. Should the Vice-Chairman be absent or refuse the request from the Chairman, the remaining Member may perform the duties of the Chairman.

C. Member to Be Excused

Any *Member* present at the start of any meeting of the Board who then leaves a meeting without being excused by a majority vote of the *Members* present shall subject his/her vote to being counted as an abstention. If the *Member* is excused by Majority Vote, no vote shall be counted for the excused *Member*.

D. Order of Business

Items may be placed on the Agenda according to the "Order of Business." By general consent of the Board, any item may be considered out of order. The following shall be the general Order of Business for Union Township during business meetings:

1. Call to Order
2. Pledge of Allegiance

3. Roll Call
4. Approval of Minutes
5. Correspondence
6. Proclamations & Special Presentations
7. Public Comments
8. Department Reports
9. Public Hearings (if applicable)
10. Old Business
11. New Business
12. Comments from Board Members
13. Upcoming Events
14. Executive Session (if requested)
15. Adjournment

During a work session meeting, the Township Administrator and the Fiscal Officer will set agenda items in this general order, but acknowledge that work sessions will not have all items to consider at every meeting.

E. Actions by the Board

The Board may take the following actions during any meeting:

1. Motions:
 - a. Any *Member* may make a motion.
 - b. One motion may be made and seconded at a time. A second is required on all motions. A motion will not be considered by the Board in the event it fails to receive a second.
 - c. The Board Chairman will then ask for discussion.
 - d. A *Member* who has not spoken on the issue shall be recognized before a *Member* who has already spoken on the issue.
 - e. To the extent possible, the debate among *Members* shall alternate between the proponents and the opponents of the issue or measure.
 - f. No *Member* shall interrupt another while speaking, except to raise a point of order, to ask a question, or for information only. The point of order, question, or request for additional information should be directed to the Chairman.
 - g. A *Member* may **amend** a motion by moving to amend the main motion, and by further stating the proposed amendment to the original motion.
 - h. A *Member* may move to **defer** a motion to a certain date.
 - i. A *Member* may move to **table** a motion for a future date uncertain.
 - j. A calling for the vote is not in order until there has been an opportunity for every *Member* desiring to speak, to be heard at least one time.

- k. The vote may be made on at the conclusion of any action and discussion on a matter pending before the Board; it may not be used to interrupt deliberation on any pending matter.
- l. A *Member* may **approve** a motion by voting for it, or **disapprove** a motion by voting against it.
- m. A *Member* may **abstain** from voting on any issue. Any *Member* who abstains, for any reason whatsoever, on any motion coming to a vote before the Board shall not be counted in determining the number of votes needed for a majority.
- n. A *Member* may **recuse** themselves from any deliberation on any matter or item to come before the Board for consideration, deliberation, or vote. A *Member* wishing to recuse themselves shall inform the Chairman of his/her intent to recuse themselves prior to commencement of consideration of the item. It shall be the discretion of the *Member* seeking to recuse themselves, as to whether to excuse themselves from the meeting hall entirely during the consideration of the matter prompting the recusal. Any *Member* who recuses themselves, for any reason whatsoever, on any motion coming to a vote before the Board shall not be counted in determining the number of votes needed for a majority.
- o. A *Member* may make a motion to **adjourn** the meeting. A motion to adjourn the meeting **takes precedence** over all other **motions or matters** before the Board. A motion to adjourn is **not in order** until there has been an opportunity for all agenda items to be addressed, unless otherwise required due to an emergency. A majority vote is required to adjourn the meeting.

F. Executive Session

The Board may only hold executive sessions as provided by Ohio Revised Code Section 121.22(G). The Chairman shall cite the relevant provision of the Ohio Revised Code and the statutory reason authorizing executive session prior to going into executive session, and ask for the proper motion to do so. The Board shall commence an executive session by Roll Call consistent with the requirements of Ohio Revised Code 121.22(G). The Board shall terminate an executive session in the same manner as commencing the executive session, with the Chairman stating the intent of the Board's return to regular session, asking for the proper motion to do so, and then concluding the executive session by Roll Call. No formal action may be taken by the Board in the executive session.

G. Public Conduct

The Union Township Board of Trustees welcomes the public and members of the media to attend any Regular, Special, or Emergency Meeting of the Board. However, in order to efficiently conduct the business of the Township, and to otherwise maintain an orderly proceeding, the Board recognizes that certain standards of conduct are required from those in attendance. Accordingly, all public conduct shall observe the following standards:

- 1. The public is expected to remain seated except when entering or leaving the room, or unless specifically requested by the Board Chairman to approach the podium.
- 2. The Board Chairman may remove, or request the assistance of law enforcement to remove, any person who prevents, obstructs, or delays the Board by any act that hampers or impedes the Board in the performance of its official, lawful duties, or otherwise interferes with the orderly progress of the meeting. A Majority Vote by the Board may overrule the Chairman if a vote is requested.

3. No person shall shout, yell, call out or otherwise behave disruptively during any meeting proceeding. No person shall disrupt the meeting or otherwise speak unless directed to speak by the Chairman of the Board.
4. No person shall direct threatening, menacing, or obscene language toward any Board Member, staff member, or official in attendance at the proceeding. Violation of this subsection shall be grounds for immediate removal of the offending party.

These rules of conduct shall apply to all portions of any lawful Meeting held by the Board of Township Trustees of Union Township, including any Public Comment period, or any scheduled Public Hearing held by the Board.

V. PRESENTATIONS

The Board, an individual Member, the Township Fiscal Officer, or the Township Administrator may invite an individual, group of individuals or organization to make a presentation to the Board on a specific topic. The topic shall be placed on the agenda identifying the topic as well as the presenting group, organization and/or individual.

VI. PUBLIC PARTICIPATION

The Union Township Board of Trustees recognizes that from time to time, members of the public may seek to address specific issues or bring certain issues to the Board for consideration, to speak either as proponents or opponents during scheduled Public Hearings, to speak in favor of or against a matter listed on the Agenda for consideration by the Board, or may otherwise desire to ask questions, or may otherwise seek to provide/obtain information relative to general matters of interest in the Township within the Board's scope of responsibilities. Accordingly, the Board will provide a period for public comment at all of its regularly scheduled Trustee meetings. The Township may permit, but is not required to, public comment at special meetings of the Township Trustees.

The Township applies these rules and procedures to all speakers and does not discriminate based on the identity of the speaker, the content of what the speaker says or the viewpoint that the speaker takes.

No public participant in any Meeting or Public Hearing held by the Board shall disturb a lawful proceeding nor shall any person act in any manner as to obstruct the official business of the Board.

The Board shall have no obligation to respond to any person addressing the Board during any Public Comment period or during any Public Hearing, but may elect to do so, at the sole discretion of the Board. These rules shall establish the standard of conduct for members of the public who are granted permission to speak during the Public Comment section of the Agenda, or, to those persons who are granted permission to speak during any Scheduled Public Hearing:

- A. Public Comment shall be permitted as indicated on the agenda in the order of business.
- B. Each speaker shall fill out a provided form listing name, address, contact information, and topic. The completed form shall be handed to the Fiscal Officer or his designee prior to the close of the public comment period.
- C. Each speaker must be recognized by the Board Chairman before speaking during the Public

Comment Period.

- D. Each speaker (or a speaker representing a group of individuals or an organization) who appears before the Board shall be limited to a maximum of five (5) minutes provided to speak. Unless otherwise directed by the Board Chairman, each speaker shall speak from the podium. The speaker shall state their name, address and organization (if applicable) for the record.
- E. Unless otherwise permitted by the Chairman or a Board majority, each speaker shall only speak once on a particular item during the Public Comment period, or only once on any particular single matter for which a Public Hearing is being held.
- F. No person may cede their time to another person.
- G. If a speaker wishes to comment regarding a matter for which a Public Hearing is scheduled, that speaker shall reserve such comments until the Public Hearing portion of the meeting. Comments or testimony provided regarding matters scheduled for Public Hearing shall be reserved to only those comments directly related to the matter for which the Public Hearing is scheduled.
- H. In the event that a zoning case is scheduled for Public Hearing, the Chairman shall request that each person speaking be sworn in prior to speaking, thereby affirming that the testimony to be provided is true and accurate.
- I. Public participation shall be comment only. The public and the Board will not engage in a debate. The Board Members may, in their sole discretion, ask questions of the speaker, or seek clarification or gather additional information or facts from the speaker. The Board Chairman may limit the time of the discussion if necessary to maintain order and adherence to these Rules.
- J. Any documents or other materials presented by a speaker during Public Comment or during any Scheduled Public Hearing will not be accepted by the Board and will only be included in the minutes by reference. The speaker will be given the option to submit the documents or other materials to the Fiscal Officer.
- K. All speakers shall direct their comments exclusively to the Board and not to individuals in the audience. The Board Chairman may, at his/her discretion, allow dialogue between any speaker, the Board, individual Board Members, and/or any Township Staff or official in attendance.
- L. The Board has no obligation to take any action or to vote or otherwise consider any issues initially raised during the Public Comment period. The Board may, in the Board's sole discretion, take further action, may direct staff to research the subject matter and to report necessary and relevant information to all Members.
- M. No participant may use obscene or threatening language.

VII. AMENDMENT OF RULES

These Rules may be amended or repealed by a vote of the majority of the Board. Rules shall become effective at the next Regular Meeting after approval. A rule may be temporarily suspended by a majority vote of the Board at any time whatsoever.

VIII. STATUTORY CONFLICT

In the event any of the foregoing Rules are determined to be in conflict with statutory provisions, then only that part in conflict shall be null and void. The remainder shall remain in full force and effect.

IX. POSTING OF THE RULES

There shall be a copy of these Rules posted for public review in the office of the Board and on the Township Website.