Meetings Of The Township Trustees

Regular Meetings of the Township Trustees

Township meetings are sessions for the conduct of township business by the Trustees. Of course the meetings must be open, and citizens may be afforded the opportunity to speak at a meeting of the Trustees. But citizens do not have the right to interrupt the meeting, or run the meeting, or to decide any issue. These same limitations apply to the Township Fiscal Officer.

Ohio did not adopt the town meeting concept where every citizen may vote on every issue on the town meeting agenda. Ohio has a representative government, the Trustees are the lawful representatives of the citizens, and only the Trustees have the authority to make township decisions.

The Ohio Attorney General has ruled that the Trustees need not follow any particular procedural rules during the conduct of their meetings (2 OAG 724). Many townships have adopted Robert's Rules of Order and an abbreviated version of those rules can be found in Appendix C.

What is important for the Township Fiscal Officer to keep in mind is to make sure that the Minutes are accurate. See “The Minutes of Meetings of the Township Trustees” on page 30 for details.

The usual practice is for Trustees to determine at the beginning of each year a schedule for regular meetings. A typical pattern would be two times a month, for example the first and third Tuesday or the second and fourth Monday. The choice of days is up to the Trustees.

A fundamental requirement is that the public must be informed in advance that the Trustees have scheduled a meeting.

For regular meetings, this requirement is met when, at the beginning of the year, the Trustees approve and place upon the Minutes a resolution establishing the time and place of the regular meetings for the entire year.

Ohio law sets three regular meeting dates:

- On or about January 1 - temporary or permanent appropriation measure acted upon (ORC 5705.38).
• On or about July 15 - tax budget adopted (ORC 5705.28). Note: not all counties require the submission of a tax budget (ORC 5705.281).

• County engineer annual meeting - county road officers are to attend a meeting with the county engineer, at a time set by the county engineer (ORC 5543.06). Township Fiscal Officers who are called by the county engineer to attend the annual meeting are entitled to their actual and necessary expenses in addition to their regular per diem or salary. This is to be paid by the county treasurer from the road and bridge fund of the county on itemized vouchers approved by the county engineer (1936 OAG 6064 and ORC 5543.06).

Special Meetings of the Township Trustees

Every effort should be made to ensure that the public is aware of the time and place of all regular meetings of the Board of Township Trustees. The Trustees may call a special meeting at any time for any purpose (or purposes) they are permitted by law, if the news media is notified at least twenty-four (24) hours in advance (ORC 121.22(F)). Actions taken at a special or regular meeting are invalid if adequate advance notice of the meeting has not been provided (ORC 121.22(H)).

Actions taken at a special meeting are invalid if one of the Trustees was not notified of the time and place of the meeting. Therefore, it is prudent to send such notice by certified mail and return receipt should be requested.

Customary Agenda for Meetings of the Township Trustees

The Township Trustees are responsible for preparing the agenda for their meetings. In fact, it is usually the President of the Board of Township Trustees who handles this task. In some cases the agenda will be prepared by the Township Fiscal Officer at the direction of the President.

In any event, it is essential for the Township Fiscal Officer to be given a copy of the agenda for the meeting in order to be able to record accurately in the Minutes the items discussed and the actions taken at the meeting.

The following description of a customary agenda for meetings of the Township Trustees is provided for the Township Fiscal Officer's information and describes the times during the meeting when the Township Fiscal Officer is involved.

1. The President of the Board of Township Trustees calls the meeting to order and calls the roll.
2. The Minutes of the previous meeting are distributed, typically by the Township Fiscal Officer, corrections and additions are made, and the Minutes approved as read or as amended. The President then signs the Minutes. It is strongly recommended that all three Trustees sign the minutes.
3. The Trustees and the Township Fiscal Officer will then review the fiscal report of the township.
4. The President asks if any other reports are ready to be presented. Generally, reports are recognized by a "motion to receive." This indicates the report has been officially noted but no action is being taken. On the other hand, a "motion to accept" implies board approval and is subject to all the usual actions including: amendments, postponements, approval, or disapproval, in all or in part. In either case, the reports must be entered into the Minutes.

5. The President (or the Township Fiscal Officer, if so instructed) will read all the communications received since the previous meeting and these will be entered into the Minutes. (Some organizations place this item at the end of a meeting, just before adjournment).

6. The President asks the Township Fiscal Officer if any business was left undecided at the close of the previous meeting, or if any business had been postponed to the current meeting. These items must then be disposed of by postponement, approval, or defeat.

7. The President then places before the Trustees the items of business on the agenda. The Trustees must consider and then amend, postpone, pass, or defeat each of them. One item that appears frequently under new business is the payment of bills.

8. The President asks if there are any announcements.

9. A motion to adjourn is proposed, seconded, and passed.

The Trustees are not required to act on all items on the agenda. The motion to adjourn can be moved, seconded, and passed at any time. Any business under discussion at that moment will be automatically placed on the next meeting's agenda as the first item under "old business" to be followed by all other items unfinished from the previous meeting.

The Open Meetings Act (Sunshine Laws)

The Requirement that Meetings of All Public Bodies Be Open to the Public

The Ohio Revised Code is very specific in its requirement that all public bodies must hold meetings that are open to the public. Meetings of the Township Trustees are included in the scope of the law. The Open Meetings Act is commonly referred to as "The Sunshine Law" (ORC 121.22). For additional information please refer to Ohio Sunshine Laws Update (updated Summer 2005) produced by the Attorney General's office. Copies are available from the Ohio Attorney General, 30 E. Broad Street, Columbus, Ohio 43266-0410. You may also download this publication via the Internet as a PDF document by visiting the Attorney General's website at www.ag.state.oh.us/online_publications/index.htm.

Township Trustees must be especially sensitive to the public's right to attend meetings when decisions are made as well as to meetings when topics are only discussed.