



TROY

HUMAN RELATIONS
COMMISSION

TROY HUMAN RELATIONS COMMISSION

Wednesday, July 8, 2020, 6:30 p.m.

Hobart Arena Bravo Room

Zoom Meeting Id: 823 9529 7043

AGENDA

- I. Mayor's Welcome and Overview
 - a. Ohio Revised Code re public meetings
 - b. Chapter 135 of Troy Codified Ordinances
 - c. General ground rules

- II. HRC Member Self-Introductions
 - a. Troy connections
 - 1. Years live/work in Troy
 - 2. Family and other connections
 - b. Desired goals and outcomes for HRC

- III. Decision points
 - a. Operating Guidelines
 - b. 2020-2022 Officers
 - 1. Chairperson / Vice Chairperson / Secretary
 - c. Location, time, date of meetings
 - d. General agenda structure
 - e. Initiatives, projects, topics
 - 1. Consensus on list
 - 2. Priority order of addressing

- IV. Closing Questions / Comments



PROTECTING ★ THE ★ UNPROTECTED



 **OHIO SUNSHINE LAWS**
2020 AN OPEN GOVERNMENT
RESOURCE MANUAL



DAVE YOST
OHIO ATTORNEY GENERAL

The Ohio Open Meetings Act

Overview of the Ohio Open Meetings Act

*What is a “public body”?*⁸⁹⁶

- A “public body” is a decision-making body at any level of government.
 - A public body may include the committees or subcommittees of a public body, even if these committees do not make the final decisions of the public body.
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*What is a “meeting”?*⁸⁹⁷

- A “meeting” is (1) a prearranged gathering, (2) of a majority of the members of the public body, (3) who are discussing or deliberating public business.
 - A meeting does not have to be called a “meeting” for the OMA requirements to apply—if the three elements above are present, the OMA requirements apply even if the gathering is called a “work session,” “retreat,” etc.
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*What is “discussion” or “deliberation” of public business?*⁸⁹⁸

- “Discussion” is an exchange of words, comments, or ideas.
 - “Deliberation” is the weighing and examination of reasons for and against taking a course of action.
 - “Discussion” or “deliberation” does not generally include information-gathering, attending presentations, or isolated conversations between employees.
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*What are the duties of a public body if the OMA applies?*⁸⁹⁹

- A public body must give appropriate notice of its meetings.
 - For regular meetings, notice must include the time and place of the meeting. For all other meetings—special and emergency meetings—notice must include the time, place, and purpose of the meeting.
 - A public body must make all of its meetings open to the public at all times.
 - Secret ballots, whispering of public business, and “round-robin” discussions are all prohibited under the openness requirement.
 - A public body must keep and maintain meeting minutes.
 - Minutes must be (1) promptly prepared, (2) filed, (3) maintained, and (4) open to the public. Meeting minutes do not need to be verbatim transcripts, but must have enough detail to allow the public to understand and appreciate the rationale behind a public body’s decisions.
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*What are the requirements for an “executive session”?*⁹⁰⁰

- Proper procedure must be followed to move into an executive session, including a motion, second, and roll call vote in open session.
 - Discussion in an executive session must be limited to one of the proper topics listed in the OMA.
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The Ohio Open Meetings Act

The Ohio Open Meetings Act

The 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. Public bodies must 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. 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 are closed-door sessions convened by a 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 listed in the law. Further, no vote or other decision-making on the matter(s) discussed may take place during the executive session.

The Open Meetings Act is a “self-help” statute. This means that a person who believes that the Act has been violated must independently pursue a remedy, rather than asking a public official (such as the Ohio Attorney General) to initiate action on his or her behalf. If any person believes that a public body has violated the Open Meetings Act, that person may file an action in a common pleas court to compel the public body to obey the Act. If an injunction is issued, the public body must correct its actions and pay court costs, a fine of \$500, and reasonable attorney fees subject to possible reduction by the court. If the court does not issue an injunction, and the court finds the lawsuit was frivolous, it may order the person who filed the suit to pay the public body’s court costs and reasonable attorney fees. Any formal action of a public body that did not take place in an open meeting, or that resulted from deliberations in a meeting improperly closed to the public, or that was adopted at a meeting not properly noticed to the public, is invalid. A member of a public body who violates an injunction imposed for a violation of the Open Meetings Act may be subject to removal from office.

Like the Public Records Act, the Open Meetings Act is intended to be read broadly in favor of openness. However, while they share an underlying intent, the terms and definitions in the two laws are not interchangeable: the Public Records Act applies to the *records of public offices*; the Open Meetings Act addresses *meetings of public bodies*.⁹⁰¹

A Note about Case Law

When the Ohio Supreme Court issues a decision interpreting a statute, that decision must be followed by all lower Ohio courts. Ohio Supreme Court decisions involving the Public Records Act are plentiful because a person may file a public records lawsuit at any level of the judicial system and often will choose to file in the court of appeals, or directly with the Ohio Supreme Court. By contrast, a lawsuit to enforce the Open Meetings Act must be filed in a county court of common pleas. While the losing party often appeals a court’s decision, common pleas appeals are not guaranteed to reach the Ohio Supreme Court, and rarely do. Consequently, the bulk of case law on the Open Meetings Act comes from courts of appeals, whose opinions are binding only on lower courts within their district, but they may be cited for the persuasive value of their reasoning in cases filed in other districts.

⁸⁹⁶ See Chapter Seven: A “Public Body”.

⁸⁹⁷ See Chapter Seven: B “Meeting”.

⁸⁹⁸ See Chapter Seven: B.1.c. “Discussing public business”.

⁸⁹⁹ See Chapter Eight “Duties of a Public Body”.

⁹⁰⁰ See Chapter Nine “Executive Session”.

⁹⁰¹ “[The Ohio Supreme Court has] never expressly held that once an entity qualifies as a public body for purposes of R.C. 121.22, it is also a public office for purposes of R.C. 149.011(A) and 149.43 so as to make all of its nonexempt records subject to disclosure. In fact, R.C. 121.22 suggests otherwise because it contains separate definitions for ‘public body,’ R.C. 121.22(B)(1), and ‘public office,’ R.C. 121.22(B)(4), which provides that ‘[p]ublic office’ has the same meaning as in section 149.011 of the Revised Code.’ Had the General Assembly intended that a ‘public body’ for the purposes of R.C. 121.22 be considered a ‘public office’ for purposes of R.C. 149.011(A) and 149.43, it would have so provided.” *State ex rel. Am. Civ. Liberties Union of Ohio, Inc. v. Cuyahoga Cty. Bd. Commrs.*, 128 Ohio St.3d 256, 2011-Ohio-625, ¶ 38 (alteration in original).

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Chapter Seven: “Public Body” and “Meeting” Defined

VII. Chapter Seven: “Public Body” and “Meeting” Defined

Only entities that meet the definition of “public body” are subject to the Open Meetings Act. The Open Meetings Act requires “public bodies” to conduct their business in “meetings” that are open to the public. A “meeting” is any prearranged gathering of a public body by a majority of its members to discuss public business.⁹⁰²

A. “Public Body”

1. Statutory definition – R.C. 121.22(B)(1)

The Open Meetings Act defines a “public body” as any of the following:

- a. Any board, commission, committee, 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;⁹⁰³
- b. Any committee or subcommittee thereof;⁹⁰⁴ or
- c. A court⁹⁰⁵ of jurisdiction of a sanitary district organized wholly for the purpose of providing a water supply for domestic, municipal, and public use when meeting for the purpose of the appointment, removal, or reappointment of a member of the board of directors of such a district or for any other matter related to such a district other than litigation involving the district.⁹⁰⁶

2. Identifying public bodies

The term “public body” applies to many different decision-making bodies at the state and local level. If a statute does not specifically identify an entity as a “public body,” Ohio courts have applied several factors in determining what constitutes a “public body,” including:

- a. The manner in which the entity was created;⁹⁰⁷
- b. The name or official title of the entity;⁹⁰⁸
- c. The membership composition of the entity;⁹⁰⁹
- d. Whether the entity engages in decision-making;⁹¹⁰ and
- e. Who the entity advises or to whom it reports.⁹¹¹

3. Close-up: applying the definition of “public body”

Using the above factors, the following entities have been found by some courts of appeals to be public bodies:

- a. A selection committee established on a temporary basis by a state agency for the purpose of evaluating responses to a request for proposals and making a recommendation to a commission.⁹¹²
- b. An urban design review board that provided advice and recommendations to a city manager and city council about land development.⁹¹³
- c. A board of hospital governors of a joint township district hospital.⁹¹⁴

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- d. A citizens’ advisory committee of a county children services board.⁹¹⁵
- e. A board of directors of a county agricultural society.⁹¹⁶

Courts have found that the Open Meetings Act does not apply to individual public *officials* (as opposed to public *bodies*) or to meetings held by individual officials.⁹¹⁷ Moreover, if an individual public official creates a group solely pursuant to his or her executive authority or as a delegation of that authority, the Open Meetings Act probably does not apply to the group’s gatherings.⁹¹⁸

However, at least one court has determined that a selection committee whose members were appointed by the chair of a public body, not by formal action of the body, is nevertheless a public body and subject to the Open Meetings Act.⁹¹⁹

4. *When the Open Meetings Act applies to private bodies*

Some private entities are considered “public bodies” for purposes of the Open Meetings Act when they are organized pursuant to state statute and are statutorily authorized to receive and expend government funds for a governmental purpose.⁹²⁰ For example, an economic opportunity planning association was found to be a public body within the meaning of the Act based on the following factors: (1) its designation by the Ohio Department of Development as a community action organization pursuant to statute;⁹²¹ (2) its responsibility for spending substantial sums of public funds in the operation of programs for the public welfare; and (3) its obligation to comply with state statutory provisions in order to keep its status as a community action organization.⁹²²

5. *Public bodies/officials that are NEVER subject to the Open Meetings Act:*⁹²³

- The Ohio General Assembly;⁹²⁴
- Grand juries;⁹²⁵
- An audit conference conducted by the State Auditor or independent certified public accountants with officials of the public office that is the subject of the audit;⁹²⁶
- The Organized Crime Investigations Commission;⁹²⁷
- County child fatality review boards or state-level reviews of deaths of children;⁹²⁸
- The board of directors of JobsOhio Corp., or any committee thereof, and the board of directors of any subsidiary of JobsOhio Corp., or any committee thereof;⁹²⁹ and
- An audit conference conducted by the audit staff of the Department of Job and Family Services with officials of the public office that is the subject of that audit under R.C. 5101.37.⁹³⁰

6. *Public bodies that are SOMETIMES subject to the Open Meetings Act:*

a. *Public bodies meeting for particular purposes*

Some public bodies are not subject to the Open Meetings Act when they meet for particular purposes, including:

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- The Adult Parole Authority, when its hearings are conducted at a correctional institution for the sole purpose of interviewing inmates to determine pardon or parole;⁹³¹
- The State Medical Board,⁹³² the State Board of Nursing,⁹³³ the State Board of Pharmacy,⁹³⁴ and the State Chiropractic Board⁹³⁵ when determining whether to suspend a license or certificate without a prior hearing;⁹³⁶
- The Emergency Response Commission’s executive committee when meeting to determine whether to issue an enforcement order or to decide whether to bring an enforcement action;⁹³⁷ and
- The Occupational Therapy Section, Physical Therapy Section, and Athletic Trainers Section of the Occupational Therapy, Physical Therapy, and Athletic Trainers Board when determining whether to suspend a practitioner’s license or limited permit without a hearing.⁹³⁸

b. Public bodies handling particular business

When meeting to consider “whether to grant assistance for purposes of community or economic development” certain public bodies may conduct meetings that are not open to the public. Specifically, the Controlling Board, the Tax Credit Authority, and the Minority Development Financing Advisory Board may close their meetings by *unanimous* vote of the members present in order to protect the interest of the applicant or the possible investment of public funds.⁹³⁹

The meetings of these four bodies may only be closed “during consideration of the following information confidentially received ... from the applicant:”

- Marketing plans;
- Specific business strategy;
- Production techniques and trade secrets;
- Financial projections; and
- Personal financial statements of the applicant or the applicant’s immediate family, including, but not limited to, tax records or other similar information not open to public inspection.⁹⁴⁰

In addition, the board of directors of a community improvement corporation, when acting as an agent of a political subdivision, may close a meeting by *majority* vote of all members present during consideration of non-public record information set out in R.C. 1724.11(A).⁹⁴¹

B. “Meeting”

1. Definition

The Open Meetings Act requires members of a public body to take official action, conduct deliberations, and discuss the public business in an open meeting, unless the subject matter is specifically exempted by law.⁹⁴² The Act defines a “meeting” as: (1) a prearranged gathering of (2) a majority of the members of a public body (3) for the purpose of discussing public business.⁹⁴³

a. Prearranged

The Open Meetings Act governs prearranged discussions,⁹⁴⁴ but it does not prohibit unplanned encounters between members of public bodies, such as hallway discussions. One court has found that neither an unsolicited and unexpected email sent from one board member to other board members, nor a spontaneous one-on-one telephone conversation between two members of a five-member board was a prearranged meeting.⁹⁴⁵ However, the “prearranged” element does not require the parties to participate at the same time, and a series of emails exchanged among a

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majority of board members can constitute a “prearranged gathering” even when the emails started with one board member sending an unsolicited email to other board members.⁹⁴⁶

b. Majority of members

For there to be a “meeting” as defined under the Open Meetings Act, “a majority of a public body’s members must come together.”⁹⁴⁷ The requirement that a gathering of a majority of the members of a public body constitutes a meeting applies to the public body as a whole and also to the separate memberships of all committees and subcommittees of that body.⁹⁴⁸ For instance, if a council is comprised of seven members, four constitute a majority in determining whether the council as a whole is conducting a “meeting.” If the council appoints a three-member finance committee, two of those members would constitute a majority of the finance committee.

i. Attending in person

A member of a public body must be present in person at a meeting in order to be considered present, vote, or be counted as part of a quorum,⁹⁴⁹ unless a specific law permits otherwise.⁹⁵⁰ In the absence of statutory authority, public bodies may not conduct a meeting via electronic or telephonic conferencing.⁹⁵¹

ii. Round-robin or serial “meetings”

Unless two members constitute a majority, isolated one-on-one conversations between individual members of a public body regarding its business, either in person or by telephone, do not violate the Open Meetings Act.⁹⁵² However, a public body may not “circumvent the requirements of the statute by setting up back-to-back meetings of less than a majority of its members, with the same topics of public business discussed at each.”⁹⁵³ Such conversations may be considered multiple parts of the same, improperly private, “meeting.”⁹⁵⁴ Serial meetings may also occur over the telephone or through electronic communications, like email.⁹⁵⁵

c. Discussing public business

With narrow exemptions, the Open Meetings Act requires the members of a public body to discuss and deliberate on official business only in open meetings.⁹⁵⁶ “Discussion” is the exchange of words, comments, or ideas by the members of a public body.⁹⁵⁷ “Deliberation” means the act of weighing and examining reasons for and against a choice.⁹⁵⁸ One court has described “deliberation” as a thorough discussion of all factors involved, a careful weighing of positive and negative factors, and a cautious consideration of the ramifications of the proposal, while gradually arriving at a decision.⁹⁵⁹ Another court described the term as involving “a decisional analysis, i.e., an exchange of views on the facts in an attempt to reach a decision.”⁹⁶⁰ Discussions of public business may also be conducted over any other media, such as the telephone, video conference, email, text, or tweet.⁹⁶¹ In other words, just because a discussion did not occur in-person does not mean it is exempt from the requirements of the Open Meetings Act.

In evaluating whether particular gatherings of public officials constituted “meetings,” several courts of appeals have opined that the Open Meetings Act “is intended to apply to those situations where there has been actual formal action taken; to wit, formal *deliberations* concerning the public business.”⁹⁶² Under this analysis, those courts have determined that gatherings strictly of an investigative and information-seeking nature that do not involve actual discussion or deliberation of public business are not “meetings” for purposes of the Open Meetings Act.⁹⁶³ More importantly, the Ohio Supreme Court has not ruled on whether “investigative and informational” gatherings are or are not “meetings.” Consequently, public bodies should seek guidance from their legal counsel about how such gatherings are viewed by the court of appeals in their district, before convening this kind of private gathering as something other than a regular or special meeting.

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Those courts that have distinguished “discussions” or “deliberations” that must take place in public from other exchanges between a majority of its members at a prearranged gathering, have opined that the following are not “meetings” subject to the Open Meetings Act:

- Question-and-answer session between board members, the public body’s legal counsel, and others who were not public officials was not a meeting because a majority of the board members did not engage in discussion or deliberation of public business *with one another*;⁹⁶⁴
- Conversations among staff members employed by a city council;⁹⁶⁵
- A presentation to a public body by its legal counsel when the public body receives legal advice;⁹⁶⁶ and
- A press conference.⁹⁶⁷

2. *Close-up: applying the definition of “meeting”*

If a gathering meets all three elements of this definition, a court will consider it a “meeting” for the purposes of the Open Meetings Act, regardless of whether the public body initiated the gathering itself or whether it was initiated by another entity. Further, if majorities of multiple public bodies attend one large meeting, a court may construe the gathering of each public body’s majority of members to be separate “meetings” of each public body.⁹⁶⁸

a. *Work sessions*

A “meeting” by any other name is still a meeting. “Work retreats” or “workshops” are “meetings” when a public body discusses public business among a majority of the members of a public body at a prearranged time.⁹⁶⁹ When conducting any meeting, the public body must comply with its obligations under the Open Meetings Act: openness, notice, and minutes.⁹⁷⁰

b. *Quasi-judicial proceedings*

Public bodies whose responsibilities include adjudicative duties, such as boards of tax appeals and state professional licensing boards, are considered “quasi-judicial.” The Ohio Supreme Court has determined that public bodies conducting quasi-judicial hearings, “like all judicial bodies, [require] privacy to deliberate, *i.e.*, to evaluate and resolve, the disputes.”⁹⁷¹ Quasi-judicial proceedings and the deliberations of public bodies when acting in their quasi-judicial capacities are not “meetings” and are not subject to the Open Meetings Act.⁹⁷² Accordingly, when a public body is acting in its quasi-judicial capacity, the public body does not have to vote publicly to adjourn for deliberations or to take action following those deliberations.⁹⁷³

c. *County political party central committees*

The convening of a county political party central committee for the purpose of conducting purely internal party affairs, unrelated to the committee’s duties of making appointments to vacated public offices, is not a “meeting” as defined by R.C. 121.22(B)(2). Thus, R.C. 121.22 does not apply to such a gathering.⁹⁷⁴

d. *Collective bargaining*

Collective bargaining meetings between public employers and employee organizations are private and are not subject to the Open Meetings Act.⁹⁷⁵

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Notes:

⁹⁰² R.C. 121.22(B)(2).

⁹⁰³ R.C. 121.22(B)(1)(a).

⁹⁰⁴ R.C. 121.22(B)(1)(b); *State ex rel. Long v. Cardington Village Council*, 92 Ohio St.3d 54, 58-59 (2001) (“R.C. 121.22(B)(1)(b) includes any committee or subcommittee of a legislative authority of a political subdivision, e.g., a village council, as a ‘public body’ for purposes of the Sunshine Law, so that the council’s personnel and finance committees constitute public bodies in that context.”).

⁹⁰⁵ With the exception of sanitation courts, the definition of “public body” does not include courts. See *Walker v. Muskingum Watershed Conservancy Dist.*, 5th Dist. No. 2007 AP 01 0005, 2008-Ohio-4060, ¶ 27.

⁹⁰⁶ R.C. 121.22(B)(1)(c). NOTE: R.C. 121.22(G) prohibits executive sessions for sanitation courts as defined in R.C. 121.22(B)(1)(c).

⁹⁰⁷ *State ex rel. Mason v. State Employment Relations Bd.*, 133 Ohio App.3d 213 (10th Dist. 1999); *Wheeling Corp. v. Columbus & Ohio River R.R. Co.*, 147 Ohio App.3d 460, 472 (10th Dist. 2001) (finding that selection committee established by Ohio Rail Development Commission was a “public body” under the Open Meetings Act because it made decisions and advised the commission; that the selection committee was created without formal action and was immaterial). But see *State ex rel. Am. Civ. Liberties Union of Ohio, Inc. v. Cuyahoga Cty. Bd. Commrs.*, 128 Ohio St.3d 256, 2011-Ohio-625, ¶ 44 (finding that groups formed by private entities to provide community input, not established by governmental entity, and to which no architecural duties or authority have been delegated, were not “public bodies”).

⁹⁰⁸ *Wheeling Corp. v. Columbus & Ohio River R.R. Co.*, 147 Ohio App.3d 460, 472 (10th Dist. 2001) (finding that a selection committee was a “public body” and that it was relevant that the entity was called a “committee,” a term included in the definition of a “public body” in R.C. 121.22); *Stegall v. Joint Twp. Dist. Mem. Hosp.*, 20 Ohio App.3d 100, 103 (3d Dist. 1985) (considering it pertinent that the name of the entity is one of the public body titles listed in R.C. 121.22(B)(1), i.e., Board of Hospital Governors).

⁹⁰⁹ *Wheeling Corp. v. Columbus & Ohio River R.R. Co.*, 147 Ohio App.3d 460, 472 (10th Dist. 2001) (finding relevant that commissioners of the parent Ohio Rail Development Commission comprised a majority of a selection committee’s membership).

⁹¹⁰ *Thomas v. White*, 85 Ohio App.3d 410, 412 (9th Dist. 1992) (finding tasks such as making recommendations and advising involve decision-making); *Cincinnati Enquirer v. Cincinnati*, 145 Ohio App.3d 335, 339 (1st Dist. 2001) (finding that whether an urban design review board, comprised of a group of architectural consultants for the city, had ultimate authority to decide matters was not controlling because the board actually made decisions in the process of formulating its advice); *Wheeling Corp. v. Columbus & Ohio River R.R. Co.*, 147 Ohio App.3d 460, 472 (10th Dist. 2001) (finding that the selection committee made decisions in its role of reviewing and evaluating proposals and making a recommendation to the Ohio Rail Development Commission).

⁹¹¹ *Cincinnati Enquirer v. Cincinnati*, 145 Ohio App.3d 335, 339 (1st Dist. 2001) (finding an urban design review board that advised not only the city manager, but also the city council, to be a public body).

⁹¹² *Wheeling Corp. v. Columbus & Ohio River R.R. Co.*, 147 Ohio App.3d 460, 472 (10th Dist. 2001) (finding relevant that the group was called a “committee,” a term included in the definition of a “public body” in R.C. 121.22; that a majority of the selection committee’s members were commissioners of the commission itself; that the selection committee made decisions in its role of reviewing and evaluating proposals and making a recommendation to the Ohio Rail Development Commission (a public body); that the selection committee was established by the committee without formal action is immaterial).

⁹¹³ *Cincinnati Enquirer v. Cincinnati*, 145 Ohio App.3d 335, 339 (1st Dist. 2001) (finding that whether an urban design review board, comprised of a group of architectural consultants for the city, had ultimate authority to decide matters was not controlling, as the board actually made decisions in the process of formulating its advice; the board advised not only the city manager, but also the city council, a public body).

⁹¹⁴ *Stegall v. Joint Twp. Dist. Mem. Hosp.*, 20 Ohio App.3d 100, 102-03 (3d Dist. 1985) (finding the Board of Governors of a joint township hospital fell within the definition of “public body” because this definition includes “boards”; the board made decisions essential to the construction and equipping of a general hospital; and the board was of a “township” or of a “local public institution” because it existed by virtue of authority granted by the legislature for the creation of joint township hospital facilities).

⁹¹⁵ *Thomas v. White*, 85 Ohio App.3d 410, 412 (9th Dist. 1992) (finding that the committee was a public body because the subject matter of the committee’s operations is the public business, each of its duties involves decisions as to what will be done, and the committee by law elects a chairman who serves as an *ex officio* voting member of the children services board, which involves decision-making).

⁹¹⁶ 1992 Ohio Op. Att’y Gen. No. 078.

⁹¹⁷ *Smith v. Cleveland*, 94 Ohio App.3d 780, 784-785 (8th Dist. 1994) (finding a city safety director is not a public body and may conduct disciplinary hearings without complying with the Open Meetings Act).

⁹¹⁸ *Beacon Journal Publishing Co. v. Akron*, 3 Ohio St.2d 191 (1965) (finding boards, commissions, committees, etc., created by executive order of the mayor and chief administrator without the advice and consent of city council were not subject to the Open Meetings Act); *eFunds v. Ohio Dept. of Job & Family Serv.*, Franklin C.P. No. 05CVH09-10276 (2006) (finding an “evaluation committee” of government employees under the authority of a state agency administrator is not a public body); 1994 Ohio Op. Att’y Gen. No. 096 (determining that, when a committee of private citizens and various public officers or employees is established solely pursuant to the executive authority of the administrator of a general health district for the purpose of providing advice pertaining to the administration of a grant, and establishment of the committee is not required or authorized by the grant or board action, such a committee is not a public body for purposes of R.C. 121.22(B)(1) and is not subject to the requirements of the Open Meetings Act).

⁹¹⁹ *Wheeling Corp. v. Columbus & Ohio River R.R. Co.*, 147 Ohio App.3d 460 (10th Dist. 2001).

⁹²⁰ *State ex rel. Toledo Blade Co. v. Economic Opportunity Planning Assn. of Greater Toledo*, 61 Ohio Misc.2d 631 (C.P. 1990); see also *Stegall v. Joint Twp. Dist. Mem. Hosp.*, 20 Ohio App.3d 100 (3d Dist. 1985).

⁹²¹ R.C. 122.69.

⁹²² *State ex rel. Toledo Blade Co. v. Economic Opportunity Planning Assn. of Greater Toledo*, 61 Ohio Misc.2d 631, 640 (C.P. 1990) (“The language of the [Open Meetings Act] and its role in the organization of public affairs in Ohio make clear that this language is to be given a broad interpretation to ensure that the official business of the state is conducted openly. Consistent with that critical objective, a governmental decision-making body cannot assign its decisions to a nominally private body in order to shield those decisions from public scrutiny.”).

⁹²³ R.C. 121.22(D).

⁹²⁴ While the General Assembly as a whole is not governed by the Open Meetings Act, legislative committees are required to follow the guidelines set forth in the General Assembly’s own open meetings law (R.C. 101.15), which requires committee meetings to be open to the public and that minutes of those meetings be made available for public inspection. Like the Open Meetings Act, the legislature’s open meetings law includes some exemptions. For example, the law does not apply to meetings of the Joint Legislative Ethics Committee, other than those meetings specified in the law (R.C. 101.15(F)(1)), or to meetings of a political party caucus (R.C. 101.15(F)(2)).

⁹²⁵ R.C. 121.22(D)(1).

⁹²⁶ R.C. 121.22(D)(2).

⁹²⁷ R.C. 121.22(D)(4).

⁹²⁸ R.C. 121.22(D)(5).

⁹²⁹ R.C. 121.22(D)(11).

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- ⁹³⁰ R.C. 121.22(D)(12).
- ⁹³¹ R.C. 121.22(D)(3).
- ⁹³² R.C. 4730.25(G); R.C. 4731.22(G).
- ⁹³³ R.C. 4723.281(B).
- ⁹³⁴ R.C. 4729.16(D).
- ⁹³⁵ R.C. 4734.37.
- ⁹³⁶ R.C. 121.22(D)(6)-(9).
- ⁹³⁷ R.C. 121.22(D)(10).
- ⁹³⁸ R.C. 121.22(D)(13)-(15); R.C. 4755.11; R.C. 4755.47; R.C. 4755.64.
- ⁹³⁹ R.C. 121.22(E).
- ⁹⁴⁰ R.C. 121.22(E)(1)-(5).
- ⁹⁴¹ R.C. 1724.11(B)(1) (providing that the board, committee, or subcommittee shall consider no other information during the closed session).
- ⁹⁴² R.C. 121.22(A), (B)(2), (C).
- ⁹⁴³ R.C. 121.22(B)(2).
- ⁹⁴⁴ *State ex rel. Cincinnati Post v. Cincinnati*, 76 Ohio St.3d 540, 544 (1996) (holding that the back-to-back, prearranged discussions of city council members constitute a “majority,” but clarifying that the statute does not prohibit impromptu meetings between council members or prearranged member-to-member discussion).
- ⁹⁴⁵ *Haverkos v. Northwest Local School Dist. Bd. of Edn.*, 1st Dist. Nos. C-040578, C-040589, 2005-Ohio-3489, ¶ 7.
- ⁹⁴⁶ *White v. King*, 147 Ohio St.3d 74, 2016-Ohio-2770, ¶¶ 15-20.
- ⁹⁴⁷ *Berner v. Woods*, 9th Dist. No. 07CA009132, 2007-Ohio-6207, ¶ 17; *Tyler v. Village of Batavia*, 12th Dist. No. CA2010-01-005, 2010-Ohio-4078, ¶ 18 (finding no “meeting” occurred when only two of five commission members attended a previously scheduled session).
- ⁹⁴⁸ *State ex rel. Long v. Cardington Village Council*, 92 Ohio St.3d 54, 58-59 (2001).
- ⁹⁴⁹ R.C. 121.22(C).
- ⁹⁵⁰ For example, the General Assembly has specifically authorized the Ohio Board of Regents to meet via videoconferencing. R.C. 3333.02. R.C. 3316.05(K) also permits members of a school district financial planning and supervision commission to attend a meeting by teleconference if provisions are made for public attendance at any location involved in such teleconference.
- ⁹⁵¹ *Haverkos v. Northwest Local School Dist. Bd. of Edn.*, 1st Dist. Nos. C-040578, C-040589, 2005-Ohio-3489, ¶ 9 (noting that in a 2002 revision of the Open Meetings Act, the legislature did not amend the statute to include “electronic communication” in the definition of a “meeting,” and that this omission indicates the legislature’s intent not to include email exchanges as potential “meetings”).
- ⁹⁵² *State ex rel. Cincinnati Post v. Cincinnati*, 76 Ohio St.3d 540, 544 (1996) (“[The statute] does not prohibit member-to-member prearranged discussions.”); *Haverkos v. Northwest Local School Dist. Bd. of Edn.*, 1st Dist. Nos. C-040578, C-040589, 2005-Ohio-3489, ¶ 11 (finding that a spontaneous telephone call from one board member to another to discuss election politics, not school board business, did not violate the Open Meetings Act); *Master v. Canton*, 62 Ohio App.2d 174, 178 (5th Dist. 1978) (agreeing that the legislature did not intend to prohibit one committee member from calling another to discuss public business).
- ⁹⁵³ *State ex rel. Cincinnati Post v. Cincinnati*, 76 Ohio St.3d 540, 543 (1996).
- ⁹⁵⁴ See generally *State ex rel. Cincinnati Post v. Cincinnati*, 76 Ohio St.3d 540, 542-44 (1996) (noting the very purpose of the Open Meetings Act is to prevent a game of “musical chairs” in which elected officials contrive to meet secretly to deliberate on public issues without accountability to the public); *State ex rel. Consumer News Servs., Inc. v. Worthington City Bd. of Edn.*, 97 Ohio St.3d 58, 2002-Ohio-5311, ¶¶ 16-17, 43 (noting that board president conceded that pre-meeting decision of school board president and superintendent to narrow field of applicants should have occurred in executive session); *State ex rel. Floyd v. Rock Hill Local School Bd. of Edn.*, 4th Dist. No. 1862, 1988 WL 17190, **4, 13-16 (Feb. 10, 1988) (finding school board president improperly discussed and deliberated dismissal of principal with other board members in multiple one-on-one conversations, and came to next meeting with letter of non-renewal ready for superintendent to deliver to principal, which the board then, without discussion, voted to approve); *Wilkins v. Village of Harrisburg*, 10th Dist. No. 12AP-1046, 2013-Ohio-2751 (finding that two presentations were not serial meetings where the gatherings were separated by two months, the presentations were discussed at regularly scheduled meetings, and a regularly scheduled meeting was held between the two presentations).
- ⁹⁵⁵ *White v. King*, 147 Ohio St.3d 74, 2016-Ohio-2770, ¶¶ 16-18 (“Allowing public bodies to avoid the requirements of the Open Meetings Act by discussing public business via serial electronic communications subverts the purpose of the act.”).
- ⁹⁵⁶ R.C. 121.22(A); R.C. 121.22(B)(2), (C).
- ⁹⁵⁷ *DeVere v. Miami Univ. Bd. of Trustees*, 12th Dist. No. CA85-05-065, 1986 WL 6763 (Jun. 10, 1986); *Cincinnati Enquirer v. Cincinnati Bd. of Edn.*, 192 Ohio App.3d 566, 2011-Ohio-703 (1st Dist.); *State ex rel. Ames v. Brimfield Twp. Bd. of Trustees*, 11th Dist. Portage No. 2019-P-0018, 2019-Ohio-5311, ¶ 14.
- ⁹⁵⁸ *Springfield Local School Dist. Bd. of Edn. v. Ohio Assn. of Pub. School Emps.*, 106 Ohio App.3d 855, 864 (9th Dist. 1998); *Cincinnati Enquirer v. Cincinnati Bd. of Edn.*, 192 Ohio App.3d 566, 2011-Ohio-703 (1st Dist.); *Berner v. Woods*, 9th Dist. No. 07CA009132, 2007-Ohio-6207, ¶ 15.
- ⁹⁵⁹ *Theile v. Harris*, 1st Dist. No. C-860103, 1986 WL 6514 (Jun. 11, 1986); *State ex rel. Ames v. Brimfield Twp. Bd. of Trustees*, 11th Dist. Portage No. 2019-P-0018, 2019-Ohio-5311, ¶ 15.
- ⁹⁶⁰ *Piekutowski v. S. Cent. Ohio Edn. Serv. Ctr. Governing Bd.*, 161 Ohio App.3d 372, 2005-Ohio-2868, ¶ 14 (4th Dist.).
- ⁹⁶¹ *White v. King*, 147 Ohio St.3d 74, 2016-Ohio-2770, ¶ 16.
- ⁹⁶² *Holeski v. Lawrence*, 85 Ohio App.3d 824, 829 (11th Dist. 1993).
- ⁹⁶³ *State ex rel. Ames v. Portage Cty. Bd. of Comms.*, 11th Dist. Portage No. 2017-P-0093, 2018-Ohio-2888, ¶ 25 (“The evidence presented at trial uniformly demonstrated that the Board convened . . . for informational purposes . . . [a]nd, perhaps most significantly, there was no evidence that the Board members who attended the meetings exchanged any ideas amongst one another . . . Thus, the evidence overwhelmingly supported the trial court’s conclusion that no ‘deliberations,’ as contemplated by the OMA, occurred[.]”); *Theile v. Harris*, No. C-860103, 1986 WL 6514 (1st Dist. 1986) (finding a prearranged discussion between a prosecutor and the majority of township trustees did not violate Open Meetings Act because the gathering was conducted for investigative and information-seeking purposes); *Piekutowski v. S. Cent. Ohio Edn. Serv. Ctr. Governing Bd.*, 161 Ohio App.3d 372, 2005-Ohio-2868, ¶¶ 14-18 (4th Dist.) (finding it permissible for a board to gather information on proposed school district in private, but it cannot deliberate privately in the absence of specifically authorized purposes); *State ex rel. Chrisman v. Clearcreek Twp.*, 12th Dist. No. CA2012-08-076, 2013-Ohio-2396 (2013) (finding that, while information-gathering and fact-finding meetings for ministerial purposes do not violate the Open Meetings Act, whether a township’s pre-meeting meetings violated the Open Meetings Act was a question of fact when there was conflicting testimony about whether the meetings were prearranged, what the purpose of the meeting was, and whether deliberations took place).
- ⁹⁶⁴ *Cincinnati Enquirer v. Cincinnati Bd. of Edn.*, 192 Ohio App.3d 566, 2011-Ohio-703 (1st Dist.) (holding that, in the absence of deliberations or discussions by board members during a non-public information-gathering and investigative session with legal counsel, the session was not a “meeting” as defined in the Open Meetings Act, and was not required to be held in public); *Holeski v. Lawrence*, 85 Ohio App.3d 824, 830 (11th Dist. 1993) (“The Sunshine Law is instead intended to prohibit the majority of a board from meeting and discussing public business *with one another*.”).

The Ohio Open Meetings Act

Chapter Seven: “Public Body” and “Meeting” Defined

⁹⁶⁵ *Kandell v. City Council of Kent*, 11th Dist. No. 90-P-2255, 1991 WL 147448 (Aug. 2, 1991); *State ex rel. Bd. of Edn. for Fairview Park School Dist. v. Bd. of Edn. for Rocky River School Dist.*, 40 Ohio St.3d 136, 140 (1988) (finding an employee’s discussions with a superintendent did not amount to secret deliberations within the meaning of R.C. 121.22(H)).

⁹⁶⁶ *Cincinnati Enquirer v. Cincinnati Bd. of Edn.*, 192 Ohio App.3d 566, 2011-Ohio-703 (1st Dist.); *Theile v. Harris*, 1st Dist. Hamilton No. C-860103, 1986 WL 6514 (Jun. 11, 1986).

⁹⁶⁷ *Holeski v. Lawrence*, 85 Ohio App.3d 824 (11th Dist. 1993).

⁹⁶⁸ *State ex rel. Fairfield Leader v. Ricketts*, 56 Ohio St.3d 97 (1990); *State ex rel. Wengerd v. Baughman Twp. Bd. of Trustees*, 9th Dist. No. 13CA0048, 2014-Ohio-4749.

⁹⁶⁹ *State ex rel. Singh v. Schoenfeld*, 10th Dist. Nos. 92AP-188, 92AP-193, 1993 WL 150498 (May 4, 1993).

⁹⁷⁰ *State ex rel. Fairfield Leader v. Ricketts*, 56 Ohio St.3d 97 (1990).

⁹⁷¹ *TBC Westlake v. Hamilton Cty. Bd. of Revision*, 81 Ohio St.3d 58, 62 (1998).

⁹⁷² *TBC Westlake v. Hamilton Cty. Bd. of Revision*, 81 Ohio St.3d 58, 62 (1998) (“[T]he Sunshine Law does not apply to adjudications of disputes in quasi-judicial proceedings, such as the [Board of Tax Appeals.]”); *State ex rel. Ross v. Crawford Cty. Bd. of Elections*, 125 Ohio St.3d 438, 445, 2010-Ohio-2167; see also *Pennell v. Brown Twp.*, 5th Dist. No. 15 CAH 09 0074, 2016-Ohio-2652, ¶¶ 34-37 (finding that board of zoning appeals hearing was quasi-judicial and therefore Open Meetings Act did not apply); *Walker v. Muskingum Watershed Conservancy Dist.*, 5th Dist. No. 2007 AP 01 0005, 2008-Ohio-4060; *Angerman v. State Med. Bd. of Ohio*, 70 Ohio App.3d 346, 352 (10th Dist. 1990); *Wightman v. Ohio Real Estate Comm.*, 10th Dist. No. 16AP-466, 2017-Ohio-756, ¶ 26 (finding that state professional licensing board was quasi-judicial and therefore Open Meetings Act did not apply).

⁹⁷³ *State ex rel. Ross v. Crawford Cty. Bd. of Elections*, 125 Ohio St.3d 438, 2010-Ohio-2167 (holding that, because R.C. 121.22 did not apply to the elections board’s quasi-judicial proceeding, the board neither abused its discretion nor clearly disregarded the Open Meetings Act by failing to publicly vote on whether to adjourn the public hearing to deliberate and by failing to publicly vote on the matters at issue following deliberations); *In re Application for Additional Use of Property v. Allen Twp. Zoning Bd. of Appeals*, 6th Dist. No. OT-12-008, 2013-Ohio-722, ¶ 15 (holding that board of zoning appeals was acting in its quasi-judicial capacity in reviewing applications for conditional use); *Beachland Enters., Inc. v. Cleveland Bd. of Rev.*, 8th Dist. No. 99770, 2013-Ohio-5585, ¶¶ 44-46 (holding that board of review was acting in quasi-judicial capacity in adjudicating tax dispute between the city commissioner of assessments and licenses and the taxpayer); *Electronic Classroom of Tomorrow v. Ohio State Bd. of Edn.*, 10th Dist. Franklin No. 17AP-510, 2018-Ohio-716, ¶¶ 20-28 (holding that the consideration of hearing officer’s recommendation was a quasi-judicial function and therefore no Open Meetings Act violations could occur); *Howard v. Ohio State Racing Comm.*, 10th Dist. No. 18AP-349, 2019-Ohio-4013, ¶ 46 (proceedings before Ohio State Racing Commission were quasi-judicial in nature and Commission not obligated to deliberate in public).

⁹⁷⁴ 1980 Ohio Op. Att’y Gen. No. 083; see also *Jones v. Geauga Cty. Republican Party Cent. Comm.*, 11th Dist. No. 2016-G-0056, 2017-Ohio-2930, ¶ 35 (upholding the trial court’s dismissal of the case because the meeting at issue concerned purely internal affairs, not public business, and was therefore not subject to the Open Meetings Act).

⁹⁷⁵ R.C. 4117.21; see also *Springfield Local School Dist. Bd. of Edn. v. Ohio Assn. of Pub. School Emps.*, 106 Ohio App.3d 855, 869 (9th Dist. 1995) (finding that R.C. 4117.21 manifests a legislative interest in protecting the privacy of the collective bargaining process); *Back v. Madison Local School Dist. Bd. of Edn.*, 12th Dist. No. CA2007-03-066, 2007-Ohio-4218, ¶¶ 6-10 (finding that school board’s consideration of a proposed collective bargaining agreement with the school district’s teachers was properly held in a closed session because the meeting was not an executive session but was a “collective bargaining meeting,” which, under R.C. 4117.21, was exempt from the Open Meetings Act’s requirements).

CHAPTER 135**Human Relations Commission****135.01 Definition.****135.02 Establishment; appointment; composition; terms.****135.03 Compensation.****135.04 Annual report.****135.05 Duties.****135.06 Expenses.****CROSS REFERENCES**

Denial of privileges - see Ohio R. C. 2921.45

Fair housing - see Ohio R. C. Ch. 4112

135.01 DEFINITION.

Whenever the word "Commission" appears in this chapter, it shall be construed to mean the Troy Human Relations Commission.

(Ord. 19-82. Passed 11-15-82.)

135.02 ESTABLISHMENT; APPOINTMENT; COMPOSITION; TERMS.

There is hereby established a commission to be known as the Troy Human Relations Commission, which Commission shall consist of not less than six nor more than fifteen members broadly representative of the racial, religious and ethnic groups within the City. Members of the Commission shall be appointed by the Mayor and confirmed by Council. Of the members initially appointed, one-third shall be appointed for one year, one-third for two years and one-third for three years; thereafter all appointments shall be for three years except where an appointment of a lesser period is necessary to equalize the staggered terms of such members. In the event of the death or resignation of any member, his successor shall be appointed by the Mayor and confirmed by Council to serve for the unexpired period of the term for which such deceased or resigned member has been appointed. All appointments shall be made upon a calendar year basis.

(Ord. 19-82. Passed 11-15-82.)

135.03 COMPENSATION.

All members of the Human Relations Commission shall serve without compensation.

(Ord. 19-82. Passed 11-15-82.)

135.04 ANNUAL REPORT.

The Human Relations Commission shall render an annual report at the termination of each calendar year of its activities and recommendations to the Mayor and Council.

(Ord. 19-82. Passed 11-15-82.)

135.05 DUTIES.

The powers and duties of the Human Relations Commission shall be as follows:

- (a) To study the problems of inter-group relationships, including but not limited to those relationships which involve age, race, physical or mental handicaps, poverty or sex as a basis for distinction, within the City and advise and cooperate with the Mayor, Council, the Service and Safety Director and all other City agencies, boards and officials with respect to any such problems.
- (b) To enlist the cooperation of all racial, religious, ethnic, educational, community, civic, labor, fraternal and benevolent groups, associations and societies and all constructive community forces and talents necessary to combat misunderstanding, prejudice, intolerance and bigotry in inter-group relationships.
- (c) To cooperate with federal, State and City agencies, the Board of Education and the parochial schools in formulating and developing courses of education to combat misunderstanding, prejudice, intolerance and bigotry in inter-group relationships.

- (d) To receive and investigate complaints, including but not limited to, the following categories: age discrimination, handicapped discrimination, poverty discrimination, racial discrimination, and sex discrimination. To initiate and conduct surveys concerning the foregoing categories. To confer with any and all groups, hold hearings, make investigations and assemble pertinent data concerning the foregoing categories.
- (e) To endeavor by persuasion and education, to induce public and private employers, labor and professional organizations and employment agencies to institute nondiscriminatory practices in employment, union membership, promotion, wages, working conditions, lay-offs, job opportunities and housing and public accommodations.

(Ord. 19-82. Passed 11-15-82.)

135.06 EXPENSES.

The actual and necessary expenses of carrying on the activities of the Human Relations Commission shall be paid out of funds, appropriated by Council and funds contributed by interested persons or groups for such activities.

(Ord. 19-82. Passed 11-15-82.)



OPERATING GUIDELINES

ARTICLE I - Name

The commission shall be known as the Troy Human Relations Commission, hereinafter referred to as 'HRC.'

ARTICLE II – Duties and Purpose

Pursuant to Chapter 135 of the “Codified Ordinances of Troy, Ohio,” the HRC shall be an advisory board of City of Troy (henceforth, 'City') residents and stakeholders, whose duties and purpose shall include:

- a) Studying the problems of inter-group relationships within the City, including but not limited to those relationships which involve age, race, physical or mental handicaps, poverty or sex as a basis for distinction;
- b) Advising and cooperating with the Mayor, Council, Public Service and Safety Director and any other City agencies, boards and officials with respect to any such problems;
- c) Enlisting the cooperation of all racial, religious, ethnic, educational, community, civic, labor, fraternal and benevolent groups, associations and societies and all constructive community forces and talents necessary to combat misunderstanding, prejudice, intolerance and bigotry in inter-group relationships;
- d) Cooperating with federal, State and City agencies, the Troy City Schools Board of Education (TCS), as well as any other public or parochial schools serving Troy residents, in formulating and developing courses of education to combat misunderstanding, prejudice, intolerance and bigotry in inter-group relationships;
- e) Providing research and oversight activities related to the following categories of inter-group relationships: age discrimination, handicapped discrimination, poverty discrimination, racial discrimination, and sex discrimination. Such research and oversight activities may include:
 - 1) Initiating and conducting surveys;
 - 2) Conferring with any and all groups, hold hearings, make investigations and assemble pertinent data; and,
 - 3) Receiving and investigating complaints related to alleged categorical discrimination
- f) Endeavoring by persuasion and education, to induce public, private and governmental employers, labor and professional organizations and employment agencies to institute nondiscriminatory practices in employment, union membership, promotion, wages, working conditions, lay-offs, job opportunities and housing and public accommodations.

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ARTICLE III – Members

The HRC shall be governed solely by its members, with business conducted by a Chairperson, Vice Chairperson, and Secretary. Members shall consist of between six (6) and fifteen (15) members as appointed by the Mayor and confirmed by Troy City Council. All members shall be residents of the city and/or within the Troy City School District.

ARTICLE IV – Officers

The officers of the HRC shall include a Chairperson, Vice Chairperson, and a Secretary. Officers shall hold office for a period of two (2) years, with election occurring at the first meeting in January of each odd year.

No officer shall hold the same position for more than two (2) consecutive years. A vote of a majority of all members is necessary for election. All elected officers and members shall serve without pay. Vacancies shall be filled by the Mayor and confirmed by City Council.

The duties of the Chairperson shall be to notify members in accordance with Article V below, develop the HRC meeting agendas and conduct the meetings. The duties of the Vice Chairperson shall be to perform the duties of the Chairperson in his/her absence. The duties of the Secretary shall be to record the minutes of all meetings.

ARTICLE V - Meetings

All meetings of the HRC shall be public and regular meetings shall be conducted at a date, time, and place to be determined by the HRC, no less than once every other month. The current edition of Robert's Rules of Order shall govern procedure unless in conflict with these operating guidelines. In case of conflict, the operating guidelines shall prevail.

By its third meeting after formation in 2020, the HRC shall develop a list of initiatives on which to be educated, complete research and analysis, and/or provide recommendations to the appropriate entity (e.g., City, TCS, etc.). Subsequently within the first quarter of each calendar year, the HRC shall update the list of initiatives, adding, deleting or modifying said list according to progress, interest, and completion.

It shall be the duty of the Chairperson to notify members at least one (1) week prior to meetings. Other meetings may be called by the Chairperson or by written request to him/her by a majority of the members for a special meeting. Such petition shall state the purpose of the special meeting requested, suggest the date and the place of the meeting, and shall allow at least five (5) days to notify the membership. For the purpose of conducting business, a quorum shall be defined as fifty one percent (51%) of the voting members. To be counted as 'in attendance', a member may participate in a meeting only by his/her physical presence, unless the Ohio Revised Code provides otherwise.

ARTICLE VI– Voting

Each member in attendance at any meeting shall be entitled to one (1) vote. Except when otherwise provided, all voting in the meetings of the HRC shall be by voice vote unless a roll call is demanded by three or more members. A majority of the votes cast shall be necessary to approve an action item.

ARTICLE VII – Committees

The purpose of committees shall be to make recommendations to the HRC regarding proposed projects, initiatives and priorities, as well as to report as deemed necessary by the HRC on the status of any projects, initiatives or priorities so approved by the HRC. Those reports may include any recommended communications or marketing, as well as any advocacy to appropriate external boards or organizations. Only a member of the HRC shall be the chairperson of any committee, as appointed by the HRC. Other members of a committee shall be appointed by the committee chairperson, subject to approval by the HRC. Committee members may include HRC members or any interested outside parties. Note that Committee chairpersons may temporarily appoint experts from time to time to assist the Committee with a particular project, issue or initiative. Committee members and chairpersons shall be approved by the HRC, as may be deemed necessary for the proper conduct of the work of the HRC.

All appointments to HRC committees shall be on-going and by mutual agreement of the Officers and the committee member so appointed. It shall be the duty of the Chairperson of each appointed committee of the HRC to prepare a written or oral report, with the aid or approval of the other members of his/her committee and of the Chairperson, covering the work performed or conclusions reached by the Committee. Reports shall be prepared at least monthly and will be provided electronically to the membership. Reports that provide for the HRC to take an active position on specific legislation contemplated by federal, state or local public bodies or other official action shall be adopted in accordance with Article VI, Voting.

ARTICLE VIII - Amendments to Operating Guidelines

The Operating Guidelines may be amended by two-thirds (2/3) vote of all voting members provided the amendment has been advertised as an agenda item. An Operating Guidelines review committee may be appointed by the Chairperson at least every two (2) years to review and recommend amendments to the operating guidelines if any amendments are needed. The review committee shall automatically dissolve upon the approval/disapproval of its recommendations by the membership.

ARTICLE IX – Acceptance of Operating Guidelines

By signing below, the Chairperson and Secretary of the Troy Human Relations Commission assert that the Operating Guidelines outlined above have been approved and accepted by roll call vote of at least sixty percent (60%) of the HRC members.

Chairperson

Printed Name: _____

Signature: _____

Date: _____

Secretary

Printed Name: _____

Signature: _____

Date: _____

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