

NIMISHILLEN TOWNSHIP, STARK COUNTY, OHIO

DECORUM FOR TOWNSHIP MEETINGS

Introduction.

Under Ohio law, all meetings of a board of township trustees “are declared to be public meetings open to the public at all times.” R.C. 121.22(C). There are exceptions to this general rule contained in R.C. 121.22(G) (commonly referred to as “executive sessions”), and information gathering sessions entertained by board members are also excluded from the term “open meeting.”

A common misunderstanding is that a meeting conducted by a board of township trustees is the “public’s meeting.” To the contrary, while a board’s meeting is a limited public forum – at which public attendance is permitted and encouraged – the meeting is the public body’s meeting, for the purpose of conducting its business. There is no requirement in Ohio law that a public body provide the public with an opportunity to comment during the course of open meetings. Because the Nimishillen Township Trustees believe that direct public input, including that obtained during the course of Board meetings, is essential for a responsive and transparent local government, the Board adheres to a practice of allowing – and indeed encouraging – public comment as part of its meetings agendas.

Meetings Require Order and Respect.

It is well-established that “a public body, such as a board of township trustees, has a significant interest in the orderly and efficient conduct of its business.” For organizational purposes and seeing to the “orderly and efficient” conduct of meetings, Ohio law places authority in the person designated as “president of the board” to enforce rules of conduct and decorum. Ohio law simply defines the president of the board as “an official chosen to preside over a meeting or assembly” or the “trustee who is responsible for presiding over the board’s meetings.” The responsibility of a public officer to preside over a meeting includes the “power to take such action as is reasonably necessary to exercise control over the meeting to allow the public body to conduct its business in an orderly manner.” This includes the authority to conduct an orderly meeting, provide security, as well as maintain order and decorum.

Common Courtesy is Expected and will be Enforced at all Times.

As a general code of conduct for all open meetings of the Board, the following shall be applied and enforced:

Common courtesy and respect is expected towards the Board and all other officials in attendance at each meeting. Profanity, loud, threatening or condescending comments directed toward the Board, township officials, or township employees will not be tolerated.

Outbursts such as clapping, cheering, or other interjection of comments or disruptive actions or gestures from those in attendance is not acceptable, and failure to follow admonishment to control such behavior will be caused for removal.

During any meeting, the President of the Board reserves the authority to limit the number of speakers and the length of time any individual is permitted to address the Board.

Any conduct in violation of these general rules, or which is otherwise deemed disorderly by the President of the Board, may result in removal from the Board meeting.

Notice.

Ohio law makes it a criminal offense to disrupt a lawful public meeting. Consequently, no person, with purpose to prevent or disrupt a lawful meeting of the Board, shall: (1) do any act which obstructs or interferes with the due conduct of Board meetings, or (2) make any utterance, gesture, or display which outrages the sensibilities of the Board, its officials or employees in attendance. R.C. 2917.12.

Ohio law also proscribes conduct which attempts to influence, intimidate, or hinder a public servant (or party official or witness) in the discharge of the person's duty. Consequently, it is unlawful to knowingly and by force, or by unlawful threat of harm to any person or property, or by filing, recording, or otherwise using a materially false or fraudulent writing, in bad faith, or in a wanton or reckless manner, to attempt to intimidate or hinder a public servant in the discharge of the person's duty. R.C. 2921.03.

Applicability.

In the absence of the President, the Vice-President of the Board shall preside over such meetings and maintain order and decorum.

These rules shall operate as to all other "public bodies" which are a part of Nimishillen Township, including the Board of Zoning Appeals and Zoning Commission.