



BOARDS & COMMISSIONS HANDBOOK

2025



I. INTRODUCTION

Purpose

Welcome to the City of New Carlisle Boards & Commissions Handbook. This handbook includes summaries of applicable laws and policies in order to give you general direction with regard to city board and commission membership. The purpose of organizing this information in this handbook is to provide guidelines for matters that may arise as a City board or commission member. If an issue arises or if you have any questions, please inform your board or commission President.

II. CITY OF NEW CARLISLE STRUCTURE

Role of Mayor, City Council, and City Manager

The legislative powers of the City of New Carlisle are vested in and exercised by City Council. City Council has the power to pass ordinances, adopt resolutions, and appoint officers and board and commission members. All powers of the City, except as otherwise provided by the City Charter or by the Constitution of the State of Ohio, are vested in City Council.

The City Manager is appointed by and reports directly to City Council. As chief administrative officer, the City Manager is responsible for directing the City's day-to-day operations and carrying out the policies set forth by City Council.

III. CITY BOARDS AND COMMISSIONS

Structure

Purpose of City Boards and Commissions

City boards and commissions are established and appointed by City Council under the City Charter or through the passage of an ordinance or resolution. The role of the City's boards and commissions is to provide advice and recommendations to City Council. The City Charter or the ordinance or resolution creating the board or commission specifies its powers and duties.

Creation of City Boards and Commissions

City Council may at any time, by ordinance or resolution, create a board or commission. The ordinance or resolution creating such board or commission shall specify the powers and duties, the number and qualifications of its members, and the terms of its members. City Council may at any time, by ordinance or resolution, abolish any existing board or commission (except those established by City Charter).

Serving On City Boards and Commissions

Eligibility for City Boards and Commissions

Members of City boards and commissions are required to be legal residents of the City of New Carlisle and must be registered voters per the City Charter. All members of City boards and commissions serve without compensation in a volunteer capacity.

Appointments to City Boards and Commissions

When a vacancy or vacancies exist on a City board or commission, the board or commission President will inform City Council at the next regularly scheduled City Council meeting. After such notice to City Council, the City Manager, or his or her designee, will post a notice of the vacancy or vacancies on the City's website, at the City Hall Building, and all City social media accounts. The vacancy notices will include a deadline for submission of a Board or Commission Membership Application (located in the Appendix of this handbook) by interested individuals. The City Manager, or his or her designee, will organize all applications received by the deadline and provide the applications to City Council for review.

Length of Service and Terms of Office on a City Board or Commission

The City Charter or originating ordinance or resolution specifies the term of office and the process for appointments. All appointments to City boards and commissions are made by motion of City Council with a majority affirmative vote at a scheduled New Carlisle City Council Meeting. If the appointment to a City board or commission is to fill a vacancy for an unexpired term, the appointment will be made only for the remainder of the unexpired term rather than the full term.

Reappointment to a City board or commission will be considered by the City Council at the request of a City board or commission member near the expiration of the current term of office, but City Council is not obligated to automatically make a reappointment.

IV. MEETINGS

Structure

Defining Meetings

A meeting is a pre-arranged gathering of a majority of members of a public body for the purpose of discussing public business. A meeting is conducted based on an agenda prepared prior to the meeting.

Quorums

A quorum is the minimum number of voting members of a City board or commission that must be present in order for the board or commission to act on a matter. If a member must abstain from voting due to a conflict of interest, and that member is required in order to have a quorum, that matter must not be heard or acted upon until a sufficient number of members allowed to vote are present. The quorum remains the same even if vacancies exist, unless otherwise provided by law or rule. A meeting quorum must be maintained for business to be conducted.

Frequency of Meetings

Frequency of the meetings will be determined by the board or commission members.

Absences

City board and commission members are expected to attend all scheduled meetings. If a City board or commission member is going to be absent from a meeting, the member should provide advance notice of the absence to the President of that board or commission as soon as possible. Excessive absences may result in the member being removed from the board or commission.

President and Vice President

The President elected by the board or commission shall preside at all board or commission meetings. In the absence of a President, the Vice President (also elected by the board or commission), or other person elected by the board or commission, shall preside.

Laws, Regulations, and Policies

Ohio Sunshine Laws

The Ohio Sunshine Laws are a set of rules and regulations that provides the public with a right of access to government proceedings. The Ohio Sunshine Laws were designed to afford the public entrance into the process of governmental decision-making. Section 121.22 of the Ohio Revised Code provides the regulations that governments must follow when conducting a meeting and what happens to the documents and files used during a meeting.

Communications Among City Board or Commission Members

Any time a majority of a City board or commission communicates about any matter that may come before the board or commission, such communication is considered to be a meeting under the Ohio Sunshine Laws. Such communications may include the following:

- Face-to-face
- Written correspondence
- Telephone
- Email
- Text Messages
- Hand signals

- Through an intermediary (a person who passes along communications from member to member)

Open to the Public

All public bodies in Ohio must take official action and conduct all deliberations upon official business only in open meetings where the public may attend and observe. Because of that, communications among a majority of members regarding official City business may only be done in a meeting open to the public.

Physical Needs of a Meeting Place

For a meeting to be “open to the public,” it must be held in a place large enough to accommodate public attendees.

Public Notice

The President is responsible for ensuring that proper notice of a meeting is provided. Board and commission members should review the statutes, rules or procedures governing the type of meeting being held and follow the appropriate public notice requirements.

Meeting Minutes

Minutes are a written record of the activities that take place during a meeting. The law requires that minutes of official meetings be maintained as a permanent record of the City. All board and commission meeting minutes are to be kept as permanent public records.

At a minimum, minutes should include:

1. A written record of the date and time the meeting starts and ends;
2. Meeting location;
3. Names of members in attendance;
4. Official actions taken; and
5. Brief summary of meeting activities, including an attachment of any presentation slides used, materials, handouts, meeting packet, etc.

A digital or tape recording does not replace the requirement for minutes. Written minutes must be taken.

Rules for Conducting a Meeting

Meeting Agenda

The structure of a meeting will be determined by the agenda which is created by the President. The agenda is a list of items to be considered at the meeting.

Conducting Business

The primary method by which City board or commission business is generally conducted is by motion. Business may also be conducted by discussions, reports submitted, and requests by members, City Staff, City Council or citizens.

Duties of President and Vice President

The President, or the Vice President in the absence of the President, is the chairperson of the meeting. The organization of the meeting is determined by the agenda and the chairperson must keep the meeting on track by adhering to one subject or main motion at a time. If a board or commission member (or member of the public) who has been recognized deviates to an unrelated topic, the chairperson should interrupt and tactfully restate the topic or motion under discussion. The chairperson should also only allow one person to speak at a time.

Order and decorum can be maintained while debating or discussing an issue. Order and decorum may be assured if the rules of debate and decorum are observed. Debate “is an essential element in the making of rational decisions of consequence by intelligent people.”

Motions

Generally, a motion is made prior to discussion. In small boards or commissions, informal discussion of a topic is permitted without a motion. The board or commission may need to fully explore an issue or proposed action before deciding on the course of action to be taken. A main motion is a formal proposal by a member in a meeting that the board or commission take certain action on an item. A motion may bring its subject to the attention of the board or commission, or the motion may follow upon the presentation of a report or other communication.

Voting, Abstaining from Voting, and Conflict of Interest

A vote is a formal expression of the will, opinion or preference of the members of a board or commission in regard to a matter submitted to it.

A majority vote is the vote required for approval of an action or choice by a board or commission. Majority means more than half of the votes cast by members at a properly called meeting at which a quorum is present.

A board or commission member may not vote “absentee” or by proxy when the member cannot attend a meeting. The right to vote is limited to board or commission members who are physically present at the time a vote is taken.

If a City board or commission member has a conflict, the member should announce the conflict, and remove himself or herself from the board or commission seating area during that portion of the meeting. If the member wishes to address the board or commission, he or she must do so

only as a member of the general public. If a board or commission member is not sure whether he or she has a voting conflict, the member should inform the President of the board or commission.

Rules of Conduct/Bylaws

To be effective, all rules, regulations or bylaws of City boards and commissions must be approved by City Council. A copy of such rules, regulations or bylaws must be available for public inspection at any time.

V. RESPONSIBILITIES OUTSIDE OF A MEETING

Code of Ethics

The citizens and businesses of the City of New Carlisle are entitled to have fair, ethical and accountable local government which has earned the public's full confidence. In keeping with the City of New Carlisle's commitment to excellence, the effective functioning of democratic government requires that:

- public officials, both elected and appointed, comply with both the letter and spirit of the laws and policies affecting the operations of government;
- public officials be independent, impartial and fair in their judgment and actions;
- public offices be used for public good and not for personal gain; and
- public deliberations and processes be conducted openly, unless legally confidential, in an atmosphere of respect and civility.

To this end, the New Carlisle City Council has adopted a Code of Ethics for members of the City Council and of the City's boards and commissions (located in the Appendix of this handbook).

City Board or Commission Member as a Public Official

Board and commission members are considered public officers. A public officer "includes any person elected or appointed to hold office in any agency including any person serving on an advisory body." This includes all board and commission members.

Certain laws apply to board and commission members when they are not participating strictly in their role as board or commission members. Most of these laws deal with conflicts of interest in business relationships and can be found in Section 102.01, et. seq. of the Ohio Revised Code.

Conflicts of Interest

A conflict of interest can be related to your individual interests, the interests of a relative or friend,

or the interests of a company where you are an employee, owner or officer. Board and commission members can avoid conflict of interest issues by being aware of statutory restrictions, adhering to such restrictions, using good judgment and being fair in decision-making.

No one may be a board or commission member and do business with the City at the same time without a waiver request first being granted by City Council. City Council will review the request and decide if a waiver is warranted.

Public Records

Public records include all documents, papers, letters, maps, books, tapes, photographs, films, sound recordings, data processing software or other material, regardless of the physical form, characteristics or means of transmission, made, or received pursuant to law or ordinance or in connection with the transaction of official business of the City. Email messages regarding official business sent from a personal computer are also subject to public records laws.

Gifts

A board or commission member is prohibited from soliciting or accepting anything of value, such as a gift, loan, reward, promise of future employment, favor or service, that is based on an understanding that the member's vote, official action or judgment would be influenced by such thing of value.

VI. INDEMNIFICATION AND INSURANCE

City officials, including board and commission members, are covered by the City insurance policies in the performance of their official duties on behalf of the City.

VII. PENALTIES

Possible consequences for violation of the Ohio Sunshine Laws, conflict of interest, gift, and public records laws include:

1. Criminal penalties for a "knowing" violation;
2. Fines;
3. Removal from office; and
4. The undoing of board or committee actions.

VIII. REMOVAL OF BOARD OR COMMISSION MEMBER

City Council may remove any member of a board or commission for lack of qualifications, incompetency, misconduct or neglect of duty.

IX. ADDITIONAL INFORMATION

The information contained in this handbook is just a general summary. You are strongly advised and encouraged to review and familiarize yourself with more detailed information about your responsibilities. Some of that information is available at:

Sunshine Laws: <https://www.ohioattorneygeneral.gov/Legal/Sunshine-Laws>

Conducting a Meeting:

https://www.ohioauditor.gov/trainings/docs/2018/Roberts_Rules_of_Order.pdf

Ethics: <https://ethics.ohio.gov/education/>



BOARDS & COMMISSIONS HANDBOOK APPENDIX

BOARD OR COMMISSION MEMBERSHIP APPLICATION

To serve, you must be a registered voter and a citizen of the City of New Carlisle.

Name: _____ Date: _____

Home Address: _____

Phone: _____ Email: _____

Board or Commission of interest: _____

Why do you wish to serve on this Board or Commission?

[illegible]

Please return this application to the City Building, located at 331 S. Church St., or submit online to general@newcarlisleohio.gov



**BOARD OR COMMISSION
MEMBER ACCEPTANCE AND
OATH OF OFFICE**

I have fully read the City of New Carlisle Boards & Commissions Handbook provided to me and pledge to carry out the responsibilities of my position in a trustworthy and diligent manner and in accordance with the New Carlisle Code of Ethics as outlined in the City of New Carlisle Boards & Commissions Handbook.

I hereby accept the position as a member of the _____ in the City of New Carlisle to which I have been appointed by the New Carlisle City Council.

(Signed)

(Printed Name) (Title)

OATH OF OFFICE

I, _____, do solemnly swear or affirm to support the Constitution of the United States, the Constitution of the State of Ohio, the Charter, and all ordinances of the City of New Carlisle and that I will faithfully, honestly, and impartially discharge the duties of my office to the best of my abilities, so help me God.

(Signed)

(Printed Name) (Title)

SWORN AND SUBSCRIBED TO THIS _____ DAY OF _____, 20____.

BEFORE _____
(Signed)

(Printed Name) (Title)

Code of Ethics for Members of the New Carlisle City Council, Boards, and Commissions

Preamble

This code outlines the ethical standards expected of members of the New Carlisle City Council, and boards and commissions to ensure accountability, transparency and public confidence in governance. As a member entrusted with the public interest, I agree to adhere to the following principles:

Act in the Public Interest

I shall prioritize the public interest of the people of New Carlisle over any private or personal interests. Fair and equal treatment of all persons, claims and transactions before City Council, and boards and commissions shall be assured.

Compliance with the Law

I shall comply with all applicable laws of the United States, State of Ohio and City of New Carlisle in the execution of public duties, including constitutional provisions, city charter, and laws on conflicts of interest, financial disclosures and open government processes.

Conduct

I shall maintain professional and personal conduct above reproach and refrain from abusive behavior, personal attacks or disparagement of fellow members, City Staff or the public.

Respect for Process

I shall adhere to established processes and rules governing public policy deliberations, public involvement and implementation of City Council decisions by City staff.

Conduct of Public Meetings

I shall prepare diligently for meetings, listen attentively to public discussions and focus on agenda items. I shall refrain from interrupting others, making irrelevant comments or disrupting meeting order.

Decision-Making Based on Merit

I shall base decisions on the substantive merits of issues under consideration, devoid of unrelated influences.

Communication

I shall transparently share relevant information received from external sources concerning matters before City Council, or boards and commissions.

Conflict of Interest

I shall avoid using my position for personal gain where I have financial interests or personal relationships that may create a conflict. I shall disclose relevant financial interests and personal relationships and abstain from related deliberations.

Gifts and Favors

I shall not accept gifts, favors or promises that could compromise my judgment or create the appearance that I am compromised.

Confidentiality

I shall respect the confidentiality of City information and refrain from unauthorized disclosure or use of such information for personal gain.

Use of Public Resources

I am prohibited from using public resources, such as City staff time, equipment, supplies or facilities that are not available to the general public, for personal gain or private purposes.

Representation of Private Interests

I shall refrain from advocating for private interests and shall focus on public welfare.

Advocacy

When publicly stating my individual opinions outside of a City Council, or board or commission meeting, I shall clarify that I am not speaking on behalf of City Council, or the board or commission.

Policy Role

I shall respect the division of responsibilities between City Council policy-making and administrative functions, and City staff implementing Council decisions.

Independence of Boards and Commissions

If I am a Council Member, then I shall refrain from exerting undue influence over the deliberations or outcomes of boards and commissions, and respect their independent advisory role.

Positive Workplace Environment

I shall promote a constructive workplace environment for City employees and stakeholders, and refrain from inappropriate direction to City staff.

Implementation

The Code of Ethics shall be integral to candidate orientations, board and commission applications, and new official inductions. I shall annually review and affirm my adherence to these standards.

Compliance and Enforcement

I am responsible for upholding ethical standards and maintaining public trust. Chairs of boards and commissions, along with the mayor, shall address potential violations.

I hereby affirm my commitment to upholding the ethical standards outlined in this Code of Ethics. I recognize the importance of accountability, transparency and maintaining public confidence in governance.

Signed: _____ Date: _____

Please Print:

Member's Name: _____

City Council, Board, or Commission Name: _____

Position/Title: _____