

Ohio Public Works Commission
District 2 (Hamilton County)
Natural Resources Assistance Council

BYLAWS

Adopted - April 5th, 2002

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Article I - Purpose

The Ohio Public Works Commission District 2 (Hamilton County) Natural Resources Assistance Council, hereinafter referred to as the “COUNCIL”, is established pursuant to Section 164.21 of the *Ohio Revised Code* to:

1. Promote the development and improvement of Hamilton County open space and the protection and enhancement of riparian corridors and watersheds;
2. Evaluate and select applications from local jurisdictions within the County for financial assistance from the issuance of general obligations of the State of Ohio pursuant to Section 2 of Article VIII of the *Ohio Constitution*;
3. Serve other purposes as set forth by law and by these Bylaws.

Article II - Council Membership

The membership of the COUNCIL shall consist of eleven (11) members appointed by the Ohio Public Works Commission (OPWC) District 2 Integrating Committee.

A. Of the eleven (11) members:

1. One (1) shall be a representative of the appointing Integrating Committee; and
2. One (1) shall be a representative of a soil and water conservation district that is located within the geographical jurisdiction of the appointing authority.

B. The nine (9) other members of the council shall be appointed from the following categories of organizations, units of government, or agencies and shall include at least one (1) member from each of those categories:

1. A county, municipal corporation, township, conservancy district, regional or joint district or unit of local government, or regional or joint political subdivision that is located within the geographical jurisdiction of the appointing integrating committee;
2. A conservation organization, an environmental advocacy organization, an organization with a primary interest in watershed protection and restoration, the Department of Natural Resources, the Environmental Protection Agency, or the United States Natural Resources Conservation Service;
3. A city park system or metropolitan park system or a board of park commissioners from a county that is located within the geographical jurisdiction of the appointing integrating committee, a statewide parks and recreation organization, or the United States National Park Service;
4. A statewide organization representing agriculture, an organization representing forestry interests, the Department of Agriculture, or the United States Department of Agriculture;
5. An organization representing business, local realtors, or a planning agency, including a port authority, located within the geographical jurisdiction of the appointing integrating committee.

- C. No organization, unit of government, or agency that is listed in divisions one (1) through five (5) shall be represented by more than one (1) member on the COUNCIL at one time. The COUNCIL membership shall reflect the demographic and economic diversity of Hamilton County.
- D. Of the initial appointees to the COUNCIL, four (4) shall be appointed for one (1) year, four (4) shall be appointed for two (2) years, and three (3) shall be appointed for three (3) years. Thereafter, terms of office for members of the COUNCIL shall be for three (3) years, with each term ending on the same day of the same month as did the term that it succeeds. Each member shall hold office from the date of appointment.
- E. Upon three (3) consecutive absences from regularly scheduled COUNCIL meetings, without showing good cause to the COUNCIL, the chairperson may request that the member be removed by the OPWC District 2 Integrating Committee.
- F. Any COUNCIL member may resign by submitting a written resignation to the OPWC District 2 Integrating Committee at its principal office. Such resignation shall become effective immediately without need of any acceptance, unless otherwise specified in such written resignation.
- G. Vacancies shall be filled in the same manner provided in Article II.A and II.B. Any member appointed to fill a vacancy occurring prior to the expiration date of the term for which his/her predecessor was appointed shall hold office for the remainder of that term.
- H. Members shall receive no compensation from the COUNCIL for attendance at COUNCIL meetings nor for attendance at any other activities of the COUNCIL.
- I. Notwithstanding any provisions of the law to the contrary, a county, municipal, or township public official may serve as a member of the COUNCIL.
- J. Only members of the COUNCIL appointed pursuant to Section 164.21 (A) of the *Ohio Revised Code* and Articles II.A & II.B of these Bylaws shall be eligible to vote on matters before the COUNCIL and to be considered for the purpose of establishing a quorum.
- K. Serving as a member of a COUNCIL does not constitute holding a public office or position of employment under the laws of the State of Ohio and does not confer a right to compensation from any agency of the State.
- L. A member of the COUNCIL does not have an unlawful interest in a public contract under Section 2921.42 of the *Ohio Revised Code* solely by virtue of the receipt of a grant by the subdivision or non-profit corporation of which he/she is also a public official or appointee.

Article III - Council Meetings

- A. The COUNCIL shall hold its annual organizational meeting in November, or as soon as possible thereafter, at a time and place specified by the presiding COUNCIL chairperson. At this organizational meeting, the COUNCIL'S officers shall be elected.
- B. The COUNCIL shall meet from time to time as necessary to conduct the business of the COUNCIL.
- C. The COUNCIL chairperson shall cause to have written notification served to all COUNCIL members indicating the COUNCIL meeting time, date and location. This notification shall be sent via regular U.S. mail, fax or email at least seven (7) calendar days in advance of the scheduled meeting date and public notice is construed to mean posting at the Hamilton County Administration Building at 138 East Court Street, Cincinnati, Ohio 45202 and at the following website:
http://www.hamiltoncountyohio.gov/government/departments/engineer/funding_programs
- D. The COUNCIL shall conduct its business only if at least six (6) members are in attendance.
- E. An affirmative vote of at least six (6) COUNCIL members is required for any action taken by vote.
- F. All COUNCIL meetings shall be open to the general public pursuant to Section 121.22 of the *Ohio Revised Code*.
- G. The minutes of the COUNCIL'S meeting shall be sent via mail, fax or email to all COUNCIL members. Copies of the minutes shall be sent to the Director of the OPWC and shall be available to the public upon request from the Council Liaison located at the Hamilton County Engineer's Office.
- H. The minutes of the COUNCIL'S meetings shall be a summary of the meeting proceedings with specific actions detailed and with the related vote itemized. The minutes shall also indicate those members in attendance at the meeting.
- I. The agenda for COUNCIL meetings shall be set by the COUNCIL chairperson. However, any items put forth by any member shall be acted upon appropriately at the meeting.
- J. The COUNCIL chairperson, with the concurrence of two (2) other members of the COUNCIL, may call an emergency meeting of the COUNCIL. The seven (7) calendar day's notification requirement specified in Article III.C shall be waived for an emergency meeting. The COUNCIL chairperson shall cause to have all members notified by telephone of an emergency meeting at least twenty-four (24) hours prior to the emergency meeting.
- K. The COUNCIL meeting shall be conducted in accordance with these Bylaws and the Sturgis Standard Code of Parliamentary Procedure where not in conflict with these Bylaws.

Article IV - Council Officers

- A. The officers of the COUNCIL shall be the chairperson, vice-chairperson and secretary.
- B. The officers shall be elected at the annual organizational meeting of the COUNCIL, as defined in Article III.A. The sequence of the election of officers shall be the chairperson, the vice-chairperson and then the secretary. The affirmative vote of at least six (6) COUNCIL members is required for the election of officers.
- C. The term of office for a COUNCIL officer shall be from organizational meeting to organizational meeting, as defined in Article III.A.
- D. Any officer may resign by submitting a written resignation to the OPWC District 2 Integrating Committee to its principal office. Such resignation shall become effective immediately without need of any acceptance, unless otherwise specified in such written resignation.
- E. Vacant offices shall be filled in the same manner specified in Article IV.B to complete the term of office.
- F. The chairperson shall:
 - Call and preside at all meetings of the COUNCIL;
 - Shall serve as the COUNCIL'S liaison with local subdivisions or other entities eligible to receive financial assistance, the OPWC, the Director of the OPWC, and any other organizations or individuals relevant to the purpose of the COUNCIL;
 - May establish those sub-committees deemed necessary for the COUNCIL to conduct its business, with the concurrence of the majority of the COUNCIL;
 - Shall appoint the COUNCIL members to the sub-committees and shall designate one (1) of the appointed members as chairperson;
 - Shall cause to have the minutes of the COUNCIL meetings prepared in accordance with Articles III.G & III.H.
- G. The vice-chairperson shall assume all of the above responsibilities and duties in the absence of the chairperson.

Article V - Subcommittees

- A. The COUNCIL'S chairperson, with the approval of the majority of the COUNCIL, may establish those sub-committees deemed necessary for the COUNCIL to conduct its business. The COUNCIL'S chairperson shall appoint COUNCIL members to serve on such sub-committees and shall designate one (1) such appointed member to chair each such sub-committee.
- B. Any sub-committee may be abolished by the majority vote of the COUNCIL members at a COUNCIL meeting.
- C. The COUNCIL shall establish such rules and procedures, which are deemed necessary for the conduct of the subcommittee activities.

Article VI - Responsibilities and Authority

- A. The COUNCIL shall receive and evaluate materials submitted to it by local subdivisions and non-profit corporations as defined in Section 164.23 (A) of the *Ohio Revised Code* for grant projects defined in Section 164.22 (A) & (B) of the *Code*.
- B. The COUNCIL shall, pursuant to the criteria set forth in Section 164.24 (A) of the *Ohio Revised Code*, select the requests for financial assistance that will be formally submitted by the COUNCIL to the Director of the OPWC. The criteria are:
 - 1. Whether the project emphasizes the factors specified in division (A) or (B) of Section 164.22 of the *Ohio Revised Code*;
 - 2. The amount of funding that is necessary for the completion of the project;
 - 3. The amount and percentage of the matching funds provided in the proposal;
 - 4. The level of coordination among local political subdivisions, state agencies, federal agencies, community organizations, conservation organizations, and local business groups;
 - 5. The level of coordination with projects being undertaken under the jurisdiction of other natural resource assistance councils throughout the State under Sections 164.20 to 164.27 of the *Ohio Revised Code* or with projects being undertaken under Sections 122.65 to 122.658 of the *Ohio Revised Code*;
 - 6. The relative economic, social and environmental benefits that the proposed project will bring to the geographical area represented by the COUNCIL as compared to other proposed projects;
 - 7. Whether the project incorporates more than one purpose for which grant funds may be used as specified in Section 164.22 of the *Ohio Revised Code*;
 - 8. Whether the general public will be given access to the project area upon completion of the project;

9. Whether the project will comply with all of the requirements established in Section 164.20 to 164.27 of the *Ohio Revised Code*;
 10. The readiness of the applicant to proceed with the project;
 11. Any other factors that is relevant to Hamilton County.
- C. The COUNCIL shall provide such documentation and other evidence as the Director of the OPWC may require to satisfy the requirements of Section 164.24 (C) and 164.25 of the *Ohio Revised Code*.

Article VII - Bylaws Amendment

- A. The COUNCIL may amend the provisions of these Bylaws at its meetings by six (6) affirmative votes. Proposed Bylaws amendments shall be voted upon by the COUNCIL only after written notice of a proposed Bylaws amendment, such vote to take place at the next scheduled meeting after such written notice.

Adopted By The Ohio Public Works Commission
District 2 Natural Resources Assistance Council
At A Regular Meeting On April 5th, 2002.

Ron Miller, Chairperson

Jon Brady, Vice-Chairperson

William Brayshaw, Secretary

Paul Beck, Member

Willie Carden Jr., Member

James R. Garges, Member

Ken Grob, Member

Terry Hankner, Member

Ray Hodges, Member

Eric Russo, Member

Holly Utrata-Halcomb, Member

Article VIII - Bylaw Revision Authority

Revision

Approval Date: April 5th, 2002