



**Board of County  
Commissioners**  
**Pete Gerken**  
*President*  
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## **Board of Lucas County Commissioners**

**TITLE:** Policy and Process for Appointment  
to Certain Boards, Commissions, and Committees

**POLICY NUMBER:** 28d

**RESOLUTION NUMBER:** 2024-572

**SUPERSEDES POLICY:** 28c

**EFFECTIVE DATE:** July 23, 2024

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- I. PURPOSE:** To establish a uniform policy and procedure process for Lucas County boards, commissions, councils, committees, and task forces; and provide reference for cross training and training new personnel. For the purpose of this policy and procedure, the term "board" shall refer to any board, commission, council, committee, task force, or any other volunteer group of community members serving Lucas County.
- II. SCOPE:** The Board of County Commissioners is required or authorized by law, or the governing documents of certain Boards to make appointments to various boards. Appointed board positions are appointed pursuant to the Ohio Revised Code, the established by-laws of the board to which the appointment is to be made, or jurisdictionally due to the individual's elective office status or by virtue of membership on another board are exempt from the application process. In instances where Federal or State regulations and laws differ from this policy and procedure, the Federal and State laws and regulations shall supersede. This policy shall be effective and fully implemented for appointments with terms that commence on or after November 1, 2024.

This policy shall apply to the following appointed boards:

- Access Management Appeals Board (Lucas County)
- Children's Services Board (Lucas County)
- Citizen Corp Council (Lucas County)
- Citizens Levy Review Committee (Lucas County)
- Community Corrections Planning Board (Lucas County)
- Convention & Visitors Bureau, Inc. Board of Trustees (Toledo/Lucas County)
- Corrections Commission of Northwest Ohio Citizen's Advisory Board
- Criminal Justice Coordinating Council
- Developmental Disabilities Board (Lucas County)
- Disability Commission (Lucas County)

- Economic Opportunity Planning Association (Pathway Inc.) Board of Trustees
- Family & Children First Council (Lucas County)
- Family Services Planning Committee (Lucas County)
- Housing Advisory Committee (Lucas County)
- Housing Fund, Inc. (Lucas County)
- Keep Toledo/Lucas County Beautiful Litter Prevention & Recycling Advisory Board
- Lucas Metropolitan Housing Board of Commissioners
- Lucas County / Maumee Valley Historical Society Board of Trustees
- Lucas County Mental Health and Recovery Services Board of Directors
- Lucas County Plan Commission
- Port Authority Board of Directors
- Public Defender Commission
- Toledo Lucas County Public Library Board of Trustees
- Toledo Zoological Society Board
- Workforce Development Board
- Youth Council

### **III. DEFINITIONS:**

**A. BOARD CATEGORIES:** The County categorizes the various types of boards into the following categories:

1. **External Boards:** These boards are subject to appointment by the Board of County Commissioners. Most are run externally from the County and require external applicants.
2. **Internal and Ex-Officio Boards:** These boards are composed of members who are mandated to be on the boards by virtue of their membership or position. Mandates come from incorporating documents for the boards—including the Ohio Revised Code and Lucas County policies.
3. **Other Boards:** These boards are external to the County and require appointment by the Board of County Commissioners, but appointees are not members of the general public. Some members are appointed by external entities. Other members are considered for appointment because of the nature of their position.

**B. BOARD TYPES:** The County boards have different roles, responsibilities, and authority. It is important that staff and board members fully understand the role, responsibility, and the authority of their board as defined below:

1. **Advisory Board:** An advisory board serves as an ongoing forum of volunteers who advise and assist the Board of County Commissioners and/or a requesting County department, providing them with technical and non-technical advice on issues. Advisory boards are not authorized to make decisions on behalf of the County. The Board of County Commissioners will consider the input of Advisory Boards, as well as other community members, in making decisions and may or may not take action that is in agreement with the advice of the board. Advisory Boards may not speak for the County or take independent positions on issues with the public or the press. Their purpose is solely to advise the Board of County Commissioners or the requesting department.

- 1. Constituent Advice Advisory Board:** This type of advisory board is used to solicit input from the community on an issue or County program. Membership on these advisory boards should be broad-based and represent the demographic and geographic diversity of the community.
- 2. Content Advice Advisory Board:** This type of advisory board gives substantive advice to the Board of County Commissioners or County department to aid with decision making processes. Varied interests and opinions are encouraged, and the board may be asked to develop specific proposals and products for the Board of County Commissioners' or County department consideration. Members selected to serve on these advisory boards provide a wide variety of input and specialized expertise. These advisory boards should be demographically representative of the community to the extent possible.
- 3. Working Group:** This type of advisory board may reflect both the advisory and content type of board and is further charged with implementation of a project or program.

- 2. Quasi-Judicial Board:** Some boards are defined in state statute and have certain statutory responsibilities and authority, as designated by statute. These boards have the authority to hold formal hearings, accept testimony, and issue decisions. These decisions are generally subject to review by the Courts. Members of these boards must be cognizant of protecting the unbiased quasi-judicial nature of the board and its formal hearings. Activities of these boards are limited to the authority granted in statute.
- 3. Decision Making Board:** Decision making boards have authority, either statutorily or as granted by the Board of County Commissioners, to make decisions such as, but not limited to, approving requests and applications, allocating resources, hiring or firing employees or adopting regulations. The specific authority of each decision-making board is defined in state statute or in the board's by-laws which may or may not be approved by the Board of County Commissioners.
- 4. Task Force:** Task forces are special ad-hoc panels created by the Board of County Commissioners for a specific project or task. Task forces are limited in duration and are not ongoing. The responsibilities of the task force shall be designated by resolution by the Board of County Commissioners at the time the Board authorizes the formation of the task force. The Board of County Commissioners will consider the input of task forces, as well as other community members, in making decisions and may or may not take action that agrees with the advice of task force members. Task forces are created to advise the Board of County Commissioners, may not speak for the County, and are not to take independent positions on issues with the public or the public media.

**C. STAFF LIAISON:** A County staff position responsible for the coordination and communication with the board members and the board staff, and the day-to-day support of the board if internal to the county.

**D. ADMINISTRATIVE CONTACT:** A County staff position responsible for assisting the Staff Liaison in coordinating the day-to-day support of the board.

#### **IV. TERMS:**

- A.** Unless otherwise mandated by federal regulation or state statute, no board member shall serve on any one board for more than three (3) consecutive terms or fifteen (15) consecutive years, whichever is longer unless considered and approved by the Board of County Commissioners. Such request for Board of County Commissioner exception will be based on extraordinary circumstances including such things as: repeated recruitments have not yielded new qualified candidates; reappointment is necessary to achieve a quorum to conduct business; the candidate brings specific skills, experience, or background; the candidate represents an underrepresented group, and no other applicants fill that need. Additionally, the following exceptions apply:
  - 1.** Members serving as “ex officio” and any staff positions may seek reappointment to a second and third full, three-year term.
  - 2.** If an individual fills the unexpired term of a board member, that unexpired term shall not be counted as a complete term, except in cases where Federal or State law requires the completion of a partial term to be considered as the first full term of the newly appointed Board member.
- B.** Appointments to positions that become vacant mid-term may be made at any time or may be postponed to the regular term period, at the discretion of the Board of County Commissioners.
- C.** Staff assigned to support County boards are not subject to any term limitation.
- D.** Unless otherwise specified by federal regulation or state statute, board members serve at the pleasure of the Board of County Commissioners, have no property interest or entitlement in their membership or office, and may be removed at any time for any reason by the Board of County Commissioners, unless removal is regulated by State or Federal law.
- E.** Regular attendance at meetings is important to ensure each Board has a quorum, diverse input, and can perform its functions. Board members are expected to regularly attend meetings and avoid missing multiple consecutive meetings or more than (4) meetings within a calendar year.
- F.** At times the Board of County Commissioners may need to cancel, reschedule, suspend or terminate operation or meeting of an internal board (if not otherwise required by law) due to staffing, resources or other county concerns. Members will be notified as soon as reasonable under specific circumstances.

#### **V. RECRUITMENT:**

- A.** The County values equity, diversity, and inclusion and finds the voices of traditionally underrepresented populations critical to the strength and most effective functioning of volunteer boards.
- B.** All available appointments shall be posted on the Lucas County website to solicit applications from eligible members of the public. The posting may occur up to three (3) months prior to the expiration of the current term of the incumbent appointment, or, in the case of unanticipated vacancies or unforeseen circumstances, as soon as practicable after the occurrence of the vacancy. All initial postings shall be open for at least fourteen (14) county working days.

- C.** The County Administrator, or their designee, will advertise board vacancies in various news outlets including press releases, the County's website, social media platforms and via other methods necessary to reach diverse populations and all residents. Applications shall be available on the County's website, in the Commissioner's Office, and via electronic and U.S. mail upon request.
- D. APPLICATIONS:** Community members interested in serving on a board, and current board members interested in serving another term, must apply by the application deadline as posted on the County website. No applications shall be considered if submitted after the application deadline as posted. Applications to no more than three boards may be submitted by the same applicant at a time. At the discretion of the Board of County Commissioners, special arrangements may be made for making applications to serve on boards for people with lived experience or from traditionally underrepresented groups.
- E. ELIGIBILITY:** Eligibility for any board shall be determined in accordance with the Ohio Revised Code or the bylaws of the board. Except by special circumstances as approved by the Board of County Commissioners, all members of any county board shall live or work in Lucas County. At the request of the Board of County Commissioners, the Executive Director and / or the Board Chair may make recommendations for appointments. Due to time commitments and to allow more community members the chance to serve, an individual may be appointed to no more than two boards at a time.

**VI. SELECTION PROCESS:** The Board of County Commissioners will seek qualified individuals, with gender and cultural diversity, geographical representation, and a diverse range of viewpoints, special interest and expertise. Current board members may assist with the recruitment of new members, but should not screen, interview, or make recommendations for appointments unless specifically requested to do so by the Board of County Commissioners. To promote open opportunities for appointment of members to boards and commissions, the Board has adopted the following policy for the appointment of members to boards and commissions.

- 1. This policy shall govern the appointment of members to boards and commissions for which the Board is responsible for making appointments but shall not include board seats to which the Board of County Commissioners themselves are appointed.
- 2. Incumbent board members who are eligible for reappointment will be contacted by the County Administrator, or their designee, to assess their interest in being reappointed. Members who apply for reappointment will be considered along with all other applicants.

- B.** The employee designated in the posting as the county contact person shall provide each commissioner with the application materials for each applicant upon the expiration of the posting deadline. Each County Commissioner shall review all application materials and may make recommendations up to the number of vacancies plus one.
- C.** Once complete, the designated county contact shall collect and compile all recommendations. All applicants that have been recommended by a majority of the Board of County Commissioners may be presented as nominees for appointment consideration at a regular meeting of the Board of County Commissioners.

**D.** After consideration of the prospective nominees, the Board may either proceed with the appointment to approve or reject the applicants, direct a re-posting, or conduct in-person interviews with all finalists for the appointment as recommended by county staff and representatives from the board of commission to which the appointment is to be made.

**E.** Following the in-person interviews (if interviews are requested), the Board shall either direct a re-posting or proceed to an appointment at a regular or special session held on or before the commencement date for the term of the appointment.

**VII. NOTIFICATION:** The designated county contact will contact all applicants confirming receipt of all application materials. If the Board of County Commissioners elects to re-post the appointment, the designated county contact will notify all applicants that had previously applied for appointment. Once the Board of County Commissioners has voted to approve an appointment, the designated county contact will notify the appointee of such approval.

**VIII. VACANCIES:**

**A.** The County Administration will keep all applications on file for one year. If vacancies occur during the year, they may be filled from the current list of applicants and/or by advertising the openings. For difficult to recruit boards, applications may be kept on file for two years.

**B.** Resignations from a board should be addressed in writing to the Board of County Commissioners.

**IX. RECOGNITION:** The Board of County Commissioners appreciates the contributions of board members and may host an annual recognition activity to acknowledge all members and their contribution to Lucas County. The Board of County Commissioners may send a letter of appreciation to all outgoing board members.

**X. OPEN MEETINGS:** All meetings and actions of a county board must be in full compliance with state statutes governing open public meetings. It is the responsibility of the Staff Liaison to be familiar with open public meeting laws, and to ensure that meeting agendas and minutes are posted in a timely manner and according to this policy. This provision is not intended to require a board to comply with open meeting statutes if it does not meet the legal requirements to do so.

**XI. CONFLICT OF INTEREST:**

**A.** A conflict of interest occurs when a person's private, personal relationships or interests diverge so that an independent observer may reasonably question whether the person's actions or decisions are determined by personal benefit, gain, or advantage.

**B.** Boards members shall not use their membership for private gain and shall act impartially and not give preferential treatment to any private organization or individual.

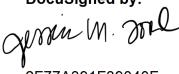
**C.** A member of any board who has a personal or private interest in a matter proposed or pending shall disclose such interest to the board, shall not vote on the item and shall not attempt to influence the decisions of other members voting on the matter.

**D.** All members of County Boards, including internal and external boards, shall abide by the Board of County Commissioners Code of Ethical Conduct Policy.

## **XII. GIFTS:**

- A.** Acceptance or giving of any personal gifts, which could lead to a conflict of interest, is prohibited. No member of any board may accept anything of value from anyone doing business, or seeking to do business with, regulated by, or interested in matters before the Board of County Commissioners, the Board they are appointed to, or has any control of business related to the activities of their board.
- B.** All members of County Boards, including internal and external boards, shall abide by the Board of County Commissioners Code of Ethical Conduct Policy.

## **XIII. WAIVERS:** Any section of this policy can be waived by a majority vote of the Board of County Commissioners.

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Signature of County Administrator

3/28/2025

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Date