

MEDINA COUNTY DRUG ABUSE COMMISSION BYLAWS

ARTICLE I

NAME

The name of this organization shall be the Medina County Drug Abuse Commission (MCDAC), hereinafter referred to in this document as the "Commission".

Mission Statement: The Medina County Drug Abuse Commission serves to prevent the negative effects of drug abuse by providing funding for and monitoring of education, law enforcement and treatment programs.

ARTICLE II

GENERAL STATEMENT

These bylaws are adopted by the Medina County Drug Abuse Commission to govern its internal operation. The purpose of the bylaws is to assist the Commission to efficiently and effectively perform the responsibilities and duties delegated to it by the Medina County Commissioners.

ARTICLE III

STATEMENT OF PURPOSE

The Medina County Drug Abuse Commission was established by the Board of Medina County Commissioners for the purpose of assisting them in the development, coordination, and direction of an effective countywide anti-drug program.

As part of this effort, the Commission shall develop and review guidelines as presented by the Executive Director for the distribution of funds to:

- political subdivisions,
- educational institutions, or
- non-profit organizations.

These guidelines shall include:

- distributing and receiving applications,
- recommending funding allocations to the County Commissioners,
- monitoring program implementation and effectiveness,
- establishing an effective organizational structure to coordinate resources,
- identifying areas of need,
- identifying additional funding resources, and
- developing processes or functions.

The programs funded by the county's anti-drug levy passed February 3, 1987 (subjected to five-year voter renewal) shall be supplemental or additional in nature. In no event shall the monies be used to supplant existing programs or to fund programs that have been in existence within a period of 24 months prior to application, except as set forth by MCDAC's Resolution No. 87-1 (see attachment).

ARTICLE IV

MEMBERS

Section 1 Appointment of Members. The Commission shall be composed of nine (9) residents of Medina County. The following seven (7) organizations or legal entities shall each designate one (1) representative for membership on the Commission; City of Brunswick, City of Medina, City of Wadsworth, Medina County villages, Medina County Township Trustees' Association, Medina County Police Chiefs' Association, and school districts located within Medina County.

Such representatives shall be approved by the Board of County Commissioners. The remaining two (2) residents of Medina County shall be appointed directly by the Medina County Commissioners. No member of the Commission shall hold a public office and each shall be a person who is willing to serve on an apolitical board and set aside personal and community goals to work for the good of the entire county to eradicate substance use/abuse. In addition to the representative designated above, each organization with a representative on the Commission may designate one alternate, who shall be approved by the Board of County Commissioners and shall serve in the absence of the duly designated representative.

Selection of a representative and alternate by the above designated organization shall be made in writing to the Board of County Commissioners before December 22, prior to the expiration of the existing term of the Commission representatives. Each organization shall be notified, in writing, of the expiring term of its designees to the Commission by September 15 prior to the end of such term. The Medina County Board of Commissioners shall appoint the person selected by the member organization to serve the new term by December 31.

Section 2 Term of Office. The term of office for a Commission member shall be three (3) years commencing January 1 following appointment as above.

In order to facilitate continuity of knowledge, the terms of members shall be staggered into various terms so there will always be an overlap of members.

Of the Commission members first appointed by Medina County Commissioners Resolution 87-12, all shall serve the year 1987. Thereafter, the representative from the City of Wadsworth, Medina County Commissioners, and the Medina County Police Chief's Association shall serve one (1) additional year. The representatives from the City of Brunswick, Medina County villages, and the Medina County Medical Society, shall serve two (2) additional years. The representative from the City of Medina, the Medina County Township Trustees' Association, and the school districts of Medina County shall serve three (3) additional years. All appointments thereafter shall be for a three (3) year term as above.

All vacancies shall be filled for the balance of any unexpired term by a designee of the member organization affected.

So that representative and alternate terms from the same entity will not expire the same year, effective March 5, 2007, the next time the representative is appointed, it will be for a three-year term. The next time the alternate is appointed, it will be for a two-year term. Thereafter, the terms will be for two years.

Any member of the Board may be removed by the Board of County Commissioners or the appointing entity for misfeasance, malfeasance, or nonfeasance in office. Board members may be removed for failing to abide by approved rules and regulations of the Board and lack of attendance at meetings.

- Malfeasance: the performance by a public official of an act that is legally unjustified, harmful, or contrary to law; wrongdoing of an act in violation of a public trust.
- Misfeasance: a wrong, actual or alleged, arising from or consisting of an affirmative action; the wrongful performance of a normally lawful act; the wrongful and injurious exercise of lawful authority.
- Nonfeasance: the omission of some act that ought to have been performed.

Section 3 Attendance. The member or their alternate is expected to attend all meetings of the Commission. Alternates are strongly encouraged to attend all meetings.

Member Organization's representatives who miss three (3) scheduled meetings in any year may result in the replacement of the representative(s) by the Member Organization.

Prior notification of absence should be given to the Executive Director at (330) 722-9263.

The Commission shall provide each Member Organization with a yearly attendance report.

ARTICLE V

MEETINGS

Section 1 Regular Meeting. The regular meeting of the Commission shall be held monthly unless otherwise ordered by the Commission.

Section 2 Annual Meeting. The regular meeting in February shall be known as the annual meeting and shall be for the purpose of electing officers, annual review of bylaws, receiving reports of officers and committees, and for any other business that may arise.

Section 3 Special Meetings. Special meetings may be called by the Chairperson, Executive Director or any three (3) members of the Commission.

Section 4 Notice of Meetings. Notice of regular meetings shall be given by written or electronic means to members, alternates and news media requesting such information at the address provided to the Commission, at least 24 hours before the time of such meeting. Such notice shall set the time and place the meeting is to be held.

Notice of special meetings shall be given as above or by telephone or in person at least 24 hours before the time of such meeting. In the event a member cannot be reached directly, notification of the meeting left at the residence or place of business with a third party shall or telephone answering machine shall be considered proper notification. Notice of a special meeting shall set forth the time, place and business to be conducted. No business shall be considered other than as designated in the call. If all of the members are present at the special meeting, however, any and all business may be transacted at such special meeting.

Section 5 Quorum. A quorum shall be necessary to conduct any business of the Commission. Five (5) voting members present at a meeting shall constitute a quorum.

Section 6 Parliamentary Authority. The rules contained in the current edition of "Roberts Rules of Order Newly Revised" shall govern the Commission in all cases to which they are applicable and in which they are not inconsistent with these bylaws and any special order the Commission may adopt.

Section 7 Voting Member. In order to promote familiarity with the varied and technical nature of the business before the Commission, attendance by both the representative and alternate is strongly recommended.

However, in voting, each member organization shall have one vote. The Primary Representative shall cast such vote when present. If he/she is not present, the alternate shall cast the vote.

For the purpose of determining a quorum, attendance of only those eligible to vote shall count.

Section 8 Sunshine Law. All meetings shall comply with the "Sunshine Law" requirements.

ARTICLE VI

VOTING

Section 1 Adoption of Commission Action. All motions shall require a majority vote of the membership present except the following:

A. A two-thirds (2/3) vote of the full membership shall be required to:

1. Adopt, amend, repeal or suspend bylaws.

2. Determine sufficiency or reasons for recommendations to the Board of County Commissioners for the removal of the Executive Director and/or Secretary.

B. A majority vote of the full membership shall be required to recommend allocations of Drug Abuse Commission monies.

Section 2 Manner of Recording Vote. In those actions requiring only a majority vote of the members present for adoption, a voice vote of yea or nay may be used. In such case where the members present at any meeting all vote unanimously on any question or matter, no roll call vote or recognition of yeas or nays shall be made. If the vote

is other than unanimous of where a member wishes to record an abstention, such vote shall be recorded in the minutes.

In those actions requiring a two-thirds (2/3) vote of the full membership, the Recording Secretary shall call the roll and yeas, nays and abstentions shall be recorded in the minutes.

ARTICLE VII

ELECTION AND DUTIES OF OFFICERS

Section 1 Officers. The officers of the Commission shall be a Chairperson and Vice-Chairperson. These officers shall perform the duties described by these bylaws.

The Chairperson and Vice-Chairperson shall be elected by a majority vote of the Commission at the annual meeting and shall serve until the next annual meeting.

Section 2 Duties of the Chairperson. The Chairperson shall preside over all meetings of the Commission, call special meetings, perform all acts and duties usually performed by a presiding officer, sign all such papers of the Commission as he/she may be authorized or directed to sign by the Commission, and such other duties as may be prescribed by the Commission.

Section 3 Duties of the Vice-Chairperson. The Vice-Chairperson shall, in the absence of the Chairperson, perform the duties of the Chairperson.

Section 4 Committees. The Chairperson may appoint such committees, both standing and temporary, as may be necessary to effectively address the goals, purposes, and general operations of this Commission.

ARTICLE VIII

OFFICIAL RECORD

Section 1 Minutes and Resolutions. An accurate and permanent record of the proceedings and minutes of all meetings, regular and special, and all adopted resolutions, shall be kept in the Commission's Office and when approved by the Commission, they will be the official record. The Recording Secretary shall be the official custodian of all the records of the Commission and shall be the proper person to certify any action of the Commission.

Section 2 Motions. All motions and resolutions shall take effect immediately upon passage unless a different effective date is stated in said motion or resolution.

ARTICLE IX

EMPLOYEES

Section 1 Executive Director. The Commission shall recommend for employment by the Medina County Commissioners, an Executive Director who shall be an employee of Medina County, serving full or part time as coordinator of the county's programs to combat substance use/abuse, as well as other duties determined by the Board of County Commissioners and set forth in a job description adopted for that position. The Executive Director shall operate on a day-to-day basis under the direction of the Commission, to the extent not inconsistent with the directives of the Board of County Commissioners.

Section 2 Secretary. The Commission shall recommend to the Board of County Commissioners, the employment of a full or part-time secretary as found necessary by the Commission to assist the Executive Director.

Section 3 Rate of Pay. Rates of pay, type of employment, benefits, etc. for the above employees shall be set by the Board of County Commissioners.

ARTICLE X

ACCESS TO COUNTY SERVICES

Since the Commission will be functioning as an arm of the government body of Medina County, to assist the Board of County Commissioners in achieving its goals in regard to combating substance use/abuse, the county has agreed to allow the Commission to have access at no charge, to all county support mechanisms, including but not limited to office space, advice and assistance by county personnel, and use of facilities and equipment.

ARTICLE XI

FINANCIAL

Section 1 Funding. Since funding of the county's anti-drug use/abuse is mainly through a voted levy, the Executive Director shall, consistent with the Ohio Revised Code and county guidelines, prepare and submit an operating budget to the Board of County Commissioners. Said budget shall be prepared under the direction of the Commission and shall be approved by the Board of County Commissioners to the extent consistent with the law, the purpose of the levy, and the funds available.

Section 2 Expenditures. All expenditures shall be made by the Executive Director, pursuant to the budget approved by the Board of County Commissioners, consistent with the Ohio Revised Code and county guidelines, and under the administrative direction of the Commission.

ARTICLE XII

AMENDMENTS TO THE BYLAWS

These bylaws may be amended at any regular meeting of the Commission by a two-thirds (2/3) vote of the full membership, provided that the amendment has been submitted in writing at the previous regular meeting.

Absentee voting shall be acceptable from the representative should the representative and alternate be unable to attend the meeting. Absentee voting shall be in writing and shall be received by the Recording Secretary prior to the meeting at which such vote is to be held.

ARTICLE XIII

ETHICS

Commission members shall avoid potential conflict of interest charges by abstaining from voting on any particular issue that the Commission member has, or may appear to have, a direct connection to or personal relationship with.

Commission members have authority only as a board or as formally delegated by the Commission. Their participation in meetings, therefore, is the basic manner in which they fulfill the duties of their office. The method of participation is discussion, deliberation, debate, and voting. Once a majority decision has been reached, each member of the Commission has an ethical obligation to work toward the successful realization of that decision.

Since the Commission functions only as a board or as specifically designated officials, positions of the Commission shall be made known through the Chairperson and/or Executive Director as spokesperson of actual action taken by the Commission, unless otherwise specifically authorized.

Any statement made by a Commission member on his/her own behalf shall be clearly represented as the sole opinion of the author, which does not necessarily reflect the views of the Commission or his/her colleagues on the Commission

Amended February 23, 2004

Amended April 24, 2007

**MCDAC
MEDINA COUNTY DRUG ABUSE COMMISSION**

**RESOLUTION 87-1
RESOLUTION OF EQUAL TREATMENT CITY OF BRUNSWICK TO BALANCE OF COUNTY**

Charles E. Hawley moved and Mary Ann Daigleish seconded the adoption of the following resolution:

- WHEREAS: The Medina County Commissioners at the urging of the Medina County Sheriff and other government agencies established a Citizens Committee on Drug Enforcement, and
- WHEREAS: Said committee through a series of public testimony and research established that a serious drug abuse problem existed throughout Medina County, and
- WHEREAS: Said committee recommended the establishment of the Medina County Drug Abuse Commission (MCDAC) to serve as a trust commission for the monitoring of programs and dispersal of funds which become available for anti—drug enforcement and related education and treatment services, and
- WHEREAS: City of Brunswick has an existing levy in the amount of 1/4 mill for a program of enforcement, and
- WHEREAS: The City of Brunswick desires to eliminate the potential of double taxation of the residents of that City, and
- WHEREAS: The Medina County Drug Abuse Commission recognizes the importance of equal financial responsibility and opportunity on the part of all citizens in Medina County.

NOW, THEREFORE, THE MCDAC BOARD HEREBY RESOLVES:

- SECTION 1: That receipts from the 1/2 mill Medina County Levy be allocated to the City of Brunswick in an amount equal to what the City would have received if it had collected the previously voted 1/4 mill Medway levy.
- SECTION 2: The Medina County Auditor is hereby authorized to disperse the same amount to the City of Brunswick in the same manner in the same timely fashion as the City received in the year 1986.
- SECTION 3: That an equal per capita allowance will be set aside for the other cities, villages and townships of Medina County to be distributed by MCDAC to those governmental bodies following approval by MCDAC of applications for projects which meet the objectives of anti-drug enforcement and related education and treatment services.
- SECTION 4: That additional funds becoming available to the Medina County Drug Abuse Commission as a result of the levy or from other resources shall be utilized in a non-discriminatory manner for exemplary projects of anti-drug enforcement and related education and treatment services and for administration.
- SECTION 5: Now therefore the same shall be in full force and effect from and after its passage by the required number of votes.

Roll call resulted in the following vote:

Ben Spechaiske	AYE	Stanley Umpleby	AYE
Art Reedy	AYE	David Laurenzi	AYE
Charles Hawley	AYE	Dr. Leonard Torok	AYE
Mary Daigleish	AYE	Roberta Mason	AYE

Adopted: January 12, 1987

Approved: Roberta Mason