



**RICHLAND COUNTY MENTAL HEALTH AND  
RECOVERY SERVICES BOARD**

**BYLAWS**

**ARTICLE I  
PURPOSE**

The Richland County Mental Health and Recovery Services Board is responsible as defined in the laws of the State of Ohio for the effective development, operation and supervision of certain services and facilities necessary for the provision of mental health, and addiction services in Richland County, Ohio. As part thereof, the Board shall:

- 1.1 Evaluate the need for programs and facilities for which State or Federal aid for mental health, and addiction services are required and submit its findings and recommendations to the appropriate local, regional, State, or Federal agency;
- 1.2 Assess the community mental health, and addiction priorities, and develop plans for the operation of mental health, alcohol and drug addiction programs and facilities for those services and programs, in cooperation with other local and regional planning and funding bodies;
- 1.3 Develop a comprehensive Service Plan listing community mental health and addiction services needs including the needs of residents of the county now residing in mental institutions who may return to the county within the period of the plan and the program and facilities to meet such needs;
- 1.4 Receive, compile, and transmit to the Ohio Department of Mental Health and Addiction Services applications for reimbursement;
- 1.5 Promote, arrange, and implement working agreements with social agencies, both public and private, and with judicial agencies;
- 1.6 Employ a qualified professional with experience in administration, mental health, or addiction services to serve as Executive Director of the Board and prescribe the director's duties as stipulated in Article V.;
- 1.7 Review, evaluate, and conduct program audits for community mental health, and addiction services seeking Federal, State, or Board assistance and document its findings and recommendations;

- 1.8 Audit, pursuant to guidelines established by the Auditor of State, at least annually, all programs and services provided under contract with the Board. In so doing, the Board may contract for or employ the services of private auditors. A copy of the fiscal audit report shall be provided to the Department of Mental Health, and Addiction Services, the Auditor of the State, and the County Auditor;
- 1.9 Recruit and promote local financial support for mental health and addiction services and facilities;
- 1.10 Enter into contracts with public and private agencies for the provision of mental health, and addiction services and facilities;
- 1.11 Approve fee schedules and related charges and adopt a unit cost schedule for contract services provided by contract agencies;
- 1.12 Prepare an annual report of the programs under the jurisdiction of the Board, including a fiscal accounting, and distribute to the Directors of the Departments of Mental Health and Alcohol and Addiction Services, the County Commissioners, and other interested parties;
- 1.13 Establish such rules, operating procedures, standards and bylaws, and perform such other duties as may be necessary or proper to carry out the purposes of the Board;
- 1.14 Inspect any residential care facility licensed under section 5119.22 of the Ohio Revised Code and located in its district;
- 1.15 Acquire, convey, lease, or enter into a contract to purchase, lease, or sell property for the community mental health, alcohol or drug addiction services, or related purposes, and enter into loan agreements, including mortgages, for the acquisition of such property.

## ARTICLE II BOARD MEMBERSHIP

- 2.1 Number – The Board shall have fourteen (14) members.
- 2.2 Qualifications – Members shall be residents of Richland County, Ohio and shall be interested and knowledgeable in mental health, alcohol or drug addiction programs.
- 2.3 Appointment – Six (6) will be appointed by the Department of Mental Health and Addiction Services these must include a mental health professional, a person with lived experience in mental health, a family member of a person with a mental illness, a substance use disorder treatment professional, a person with lived experience in addiction and a family member of someone recovering from addiction. The remaining eight (8) will

be appointed by the Richland County Board of Commissioners and should adequately represent the demographics of Richland County

- 2.4 Term – Except as hereafter provided, each member of the Board shall be appointed to a term of four (4) years. No Board member shall serve more than two (2) consecutive terms, except when one of the terms is less than two (2) years. A member having served two (2) consecutive terms is not eligible for reappointment until he/she has been off the Board for one (1) year or more.
- 2.5 Vacancy – Should any membership position on the Board become vacant prior to the completion of the term pertaining thereto by reason of death, inability or unwillingness to serve, or resignation, the authority responsible for appointing such member shall appoint a person to fill the position for the remainder of the term of the vacant membership position.
- 2.6 Removal – Any member of the Board may be removed by the authority appointing him/her, for neglect of duty, misconduct or malfeasance in office. Such member shall be informed by the authority in writing of the charges against him/her and shall be afforded an opportunity for a hearing before the authority.
- 2.7 Attendance – Members are expected to attend all meetings of the Board. If a member misses four (4) meetings, or two (2) meetings without notifying the Executive Director, during any one-year period, the Board Chairperson will notify the appointing authority of such Board member and request the appointment of a replacement for that Board member.
- 2.8 Compensation – The members of the Board shall serve without compensation, but shall be reimbursed for actual and necessary expenses incurred in the performance of their official duties.

### ARTICLE III MEETINGS OF THE BOARD

- 3.1 All meetings of the Board shall be open to the public, except that the Board may, on occasion, elect to go into executive session, as covered by the Sunshine Law of ORC. No official action may be taken in an executive session. The Board welcomes input from the public. In order to be certain that members have an opportunity to be completely familiar with an issue being presented, the Board will not be obligated to consider issues presented to the Director less than three (3) working days prior to the meeting.
- 3.2 Annual Meeting – The annual meeting of the Board shall be held in the second quarter of the calendar year, at such time and place as may be established in the notice of such meeting.

- 3.3 Regular Meeting – The Board shall meet monthly not less than ten (10) times per year. Such meetings shall be held at such time and place, within Richland County, Ohio pursuant to a resolution of the Board.
- 3.4 Special Meeting – The Board may convene a special meeting when called by the Chairperson or an officer of the Board, in the event that the chairperson is unavailable, or any three (3) members of the Board. Notice for special meetings of the Board shall specify the time, place and object or objects thereof, and no business other than that specified in the notice shall be considered at such meeting.
- 3.5 Notice of Meetings – A written or printed notice of every meeting of the Board stating the time and place shall be given to each member of the Board personally, by telephone, telegram, or by first class mail to each member's last known address at least five (5) days before any such meeting. For special meetings the notice period is reduced to two (2) working days and must include the object of the meeting.
- 3.6 Voting – Each member shall have one (1) vote on each matter submitted to the members for their vote, consent, waiver, release, or other action. The majority of the members of the Board present at any meeting thereof at which there is a quorum shall determine its action.
- 3.7 Quorum – 50% or more of the members of the Board shall constitute a quorum for each meeting.
- 3.8 Action by Written Consent – Any action which may be authorized or taken at a meeting of the Board may be authorized or taken without a meeting with the affirmative vote in writing signed by a majority of the members of the Board. Minutes recording such action will be distributed to all Board members consistent with the procedure for minutes of all Board and committee meetings.
- 3.9 Official Functioning of the Board – The Board is constituted under Ohio Revised Code §340 and communicates its official actions as a unit. Individual Board members may not act on behalf of the entire Board unless specifically authorized to do so by action of a majority of the Board.

#### ARTICLE IV OFFICERS

- 4.1 Composition – The officers of the Board shall be a Chair, a Vice-Chair, a Secretary, a Treasurer, and such other officers as may be elected by the Board.
- 4.2 Tenure and Election – All officers of the Board shall be elected by the Board from its membership at a meeting held during the second quarter of the calendar year. Officers terms begin July 1 and end the following June 30.

- 4.3 Removal – Any officer may be removed, either with or without cause, by the affirmative vote of the majority of the members at any special meeting of the Board called for that purpose or at any regular meeting of the Board. Such officer shall be informed by the notice of the meeting of the charges against him/her prior to the meeting.
- 4.4. Vacancies - Vacancies in any office of the Board may be filled by the Board at any regular meeting of the Board, or at a special meeting called for that purpose.
- 4.5. Powers and Duties - The officers of the Board shall have such powers and duties as generally pertain to their respective offices, and such further powers and duties as from time to time may be conferred by the Board. The Chairperson of the Board shall serve as an ex-officio member of all committees.

ARTICLE V  
EXECUTIVE DIRECTOR

- 5.1. Appointment and Duties - The Board shall appoint an Executive Director to perform the duties prescribed by the Board and as prescribed in the ORC Section 340.04, which duties shall include:
  - A. Enter into Purchase Of Service Contracts (POS) as approved by the Board;
  - B. Execute operational contracts as necessary;
  - C. Supervise services and facilities provided, operated, contracted, or supported by the Board to the extent of determining that programs are being administered in conformity with Chapter 340 of the Revised Code and regulations of the Ohio Department of Mental Health and Addiction Services;
  - D. Provide consultation to agencies, associations, or individuals providing services supported by the Board;
  - E. Recommend to the Board changes necessary to increase the effectiveness of mental health, and addiction services, and other matters necessary or desirable to carry out Section 340 of the Revised Code;
  - F. Employ and remove from office employees and consultants as specified in ORC, Section 340;
  - G. Encourage the development and expansion of prevention, treatment, rehabilitation, and consultation programs in the field of mental health, and addiction with emphasis on continuity of care;
  - H. Prepare for Board approval an annual report of the programs under the jurisdiction of the Board, including a fiscal accounting;

- I. Conduct such studies as may be necessary and practicable for the promotion of mental health and recovery and the prevention of mental illness, emotional disorders, and addiction;
  - J. Authorize the County Auditor to issue warrants for the payment of Board obligations approved by the Board;
  - K. Record the minutes of all meetings of the Board, and be the custodian of the records of the Board.
- 5.2. Compensation - The Board shall fix the compensation of the Executive Director following an evaluation of the Director's performance. The evaluation must be completed prior to the final Board meeting of each fiscal year (normally held in June).
- 5.3. Other Compensation and Reimbursement - The Board will reimburse the Director for actual and necessary expenses incurred in the performance of his/her official duties, and may provide other compensation as deemed appropriate by the Board.
- 5.4. Employment Status of Executive Director - The Board shall enter into a written employment agreement with the Executive Director. The employment agreement will stipulate the terms of employment consistent with O.R.C. §340.032 and any successor provisions.

#### ARTICLE VI COMMITTEES

- 6.1. Finance Committee - The Treasurer shall serve as the committee chairperson. This committee's responsibility will be to prepare an annual budget; submit budget recommendations to the Board prior to presentation to the Department of Mental Health, and review the Board's financial status prior to recommending to the Board, for its approval, the amount of millage for a levy.
- 6.2. Personnel Committee - The Vice-President shall serve as the committee chairperson. This committee will be responsible to submit recommendations for the selection of the Executive Director; assist with the recruitment of employees and consultants as needed; act as grievance committee for staff complaints; review and evaluate the Executive Director in accordance with Article V., Sections 5.2. and 5.3.
- 6.3. Planning and Education Committee - The Secretary shall serve as the committee chairperson. This committee will be responsible to propose programs and projects for the development and implementation of the comprehensive community plan for services and facilities for the mentally ill, emotionally disturbed and substance abusers in accord with the concept of continuing care and treatment, and to review and evaluate periodically all facilities for such treatment in Richland County.

- 6.4. Nominating Committee - This committee shall submit to the Board a list of nominees for officers of the Board not less than thirty (30) days prior to the annual meeting. At the annual meeting, the Chairperson of the committee, or a member thereof, shall formally place in nomination the names of all nominees. Other nominations, duly seconded, for each of said offices, may be made from the floor at such meeting.
- 6.5. Executive Committee - The Executive Committee shall consist of the officers and two other members of the Board to be appointed by the President. The Executive Committee shall have charge of the management of the business and affairs of the Board in the interim between meetings of the Board including the approval of the expenditure of funds as authorized by regulations and the Board. The Executive Committee shall have and exercise on behalf of the Board any and all powers in the management and business affairs of the Board. Such Executive Committee shall at all times act under the direction and control of the Board, but the Board may not rescind any action of the Executive Committee which impairs the rights of a third party who acted in good faith on the representations of the Executive Committee. A quorum shall consist of a majority of the members of the Executive Committee.

## ARTICLE VII AMENDMENTS

These bylaws may be altered, amended, or repealed, and new regulations may be adopted at any meeting of the Board at which there is a quorum, provided notice of the proposed change is given in writing, thirty (30) days prior to the meeting, by the affirmative vote of two-thirds (2/3) of the members of the Board present at the meeting.

## ARTICLE VIII RULES OF ORDER

Board meetings will be conducted according to generally accepted procedures. Should a procedural dispute arise, the official presiding will seek consensus among the members present. If the dispute cannot be resolved in a reasonable amount of time, the most recent update of Robert's Rules of Order will be used to resolve the dispute.

Bylaws Revised: July 18, 2017

Revised Sections: Significant language changes to reflect statute changes throughout

Bylaws Revised: January 15, 2001

Revised Section: 1.3, 1.6, 1.15, 1.16, 2.7, 3.7, 3.9, 5.1, 5.4, 6.1, and 6.7

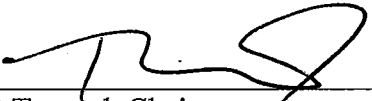
Bylaws Revised: January 19, 1999

Revised language in Sections 1.16, 3.3, 3.4, 5.1, 5.2 and 5.4


Addition of Section 5.4: February 18, 1992

Bylaws Revised: June 19, 1990

Attested To:

  
\_\_\_\_\_  
Dr. Brett Toward, Chairperson  
Richland County Mental Health and  
Recovery Services Board

7-18-17  
Date

  
\_\_\_\_\_  
Kym Lamb, Secretary  
Richland County Mental Health and  
Recovery Services Board

Date 7/18/17