

**JUDGE NANCY R. MCDONNELL
COMMUNITY-BASED CORRECTIONAL FACILITY
GOVERNING BOARD BYLAWS
(5-23-08; Amended 2-10-12; Amended 1-11-13)**

ARTICLE I – PURPOSE

The purpose of these Bylaws is to provide a structure and procedure for the Cuyahoga County Community-Based Correctional Facility Governing Board's operations.

ARTICLE II – CBCF MISSION STATEMENT

The purpose of the Cuyahoga County Community-Based Correctional Facility (CBCF) is to provide a local alternative to a prison sentence for offenders who have the potential to be rehabilitated through local punishment, work and education. While protecting society through incarceration, the facility shall also rehabilitate offenders by providing local community work service and programs instilling self-discipline, solid work habits and self-respect. Concurrently, the CBCF will provide education with respect to drugs, alcohol and mental health as needed to improve the prisoners' chances for a successful and law-abiding reentry into the community.

ARTICLE III - MEMBERSHIP

A. – The Facility Governing Board (FGB) shall consist of at least six (6) members with each member serving a three (3) year term following initial appointments. Currently a twelve (12) member board is appointed.

B. APPOINTMENT – The FGB members shall be appointed by the Cuyahoga County Judicial Advisory Board (JAB) and the County Executive. The JAB shall appoint two-thirds of the members and the County Executive shall appoint one-third of the members of the FGB.

C. TERM – In the initial appointments, one-third of the members shall be appointed to a one-year term, one-third of the members to a two-year term, and one-third of the members to a three-year term. Thereafter, the terms of persons appointed to the FGB shall be for a three (3) year term, with each term ending on the same day of the same month of the year as did the term it succeeds.

D. REAPPOINTMENT – Any member of a FGB may be reappointed to serve additional terms.

E. VACANCY – A vacancy or vacancies shall be filled in the same manner as provided for original appointments. Any member of the board who is appointed to fill a vacancy occurring before the expiration of the term for which the member's predecessor was appointed shall hold office for the remainder of the predecessor's term.

F. CONFLICT OF INTEREST – No Board member shall have any business interest in any agency, organization or business providing services or products to the Cuyahoga County Community-Based Correctional Facility as consistent with Ohio Ethics Law and Cuyahoga County ethics policy. Board members shall act in a highly ethical basis.

G. REMOVAL FROM OFFICE - Any member of the FGB may be removed by the appropriate appointing authority for due cause.

H. COMPENSATION – Members of the FGB shall not be entitled to receive compensation for their services. The FGB members may be reimbursed for reasonable and necessary expenses incurred as a result of service on the board.

I. VOTING RIGHTS – Each member of the FGB shall be entitled to one vote. Each member shall be present in person at any meeting in order to cast a vote on business matters before the FGB.

ARTICLE IV – FGB MEETINGS

A. MEETING PLACE – The FGB shall hold meetings at the principal office of the community based correctional facility or at such other place within the community based correctional facility jurisdiction as may be designated in the notice of the meeting.

B. MEETINGS – The FGB shall meet to perform its duties pursuant to the Ohio Revised Code and to perform such other business as found to be necessary from time to time. The FGB may meet as often as considered necessary by its members.

C. SPECIAL MEETING – Special meetings of the FGB shall be held at the principal office of the community based correctional facility or at such other places within the community based correctional facility jurisdiction at any time pursuant to call by the Chairman of the FGB or by any three members of the FGB at the date, time and place designated in the notice of such meeting.

D. NOTICE – A written or printed notice of each regular or special meeting, stating the time and place, and in case of special meetings, the objects thereof, shall be mailed, e-mailed, or faxed to each FGB member at least seven (7) days before such meeting; provided, however, no failure or irregularity of notice of any regular meeting shall invalidate the same or any proceeding thereof. Notice of FGB meetings shall further be made available to the public in a manner deemed to provide reasonable notice.

E. AGENDA AND MINUTES – The Chair shall be responsible for circulating in advance to each of the members a written agenda for all regular and special meetings. Minutes shall be provided to each member within a reasonable time after each meeting. Final approval of such minutes shall be voted on at the next regular or special meeting.

F. QUORUM – A majority of the sitting members of the FGB shall constitute a quorum at all meetings. At every meeting of the board at which a quorum is present, the board may act by or through a majority of those in attendance. If, however, such quorum shall not be present at any meeting, the board members present may adjourn the meeting from time to time, without notice other than announcement at the meeting, until a quorum shall be present.

G. BINDING THE FGB - Only the Chair can execute papers authorized by the FGB binding the Board.

ARTICLE V – FGB DUTIES AND RESPONSIBILITIES

A. GENERAL POWERS – The FGB shall be empowered by the duties and responsibilities in the operation of a community-based correctional facility in accordance with sections 2301.51 to 2301.58 of the Ohio Revised Code and Chapter 5120:1-14 of the Ohio Administrative Code.

ARTICLE VI – OFFICERS

A. CHAIR – The Chair of the FGB shall be elected from among the board members. The Chair of the FGB shall preside at all meetings of the FGB and shall have other powers and duties as may be prescribed.

B. VICE CHAIR – The Vice Chair of the FGB shall be elected from among the board members. In absence of the Chair of the FGB, the Vice Chair of the FGB shall preside and shall perform the duties of the Chair, and when so acting, shall have all the powers of and be subject to all restrictions upon the Chair. The Vice Chair shall perform such other duties and have such other powers as the FGB may, from time to time, prescribe.

C. SECRETARY – The Secretary of the FGB shall be elected by the board members. The Secretary shall (a) attend all meetings of the FGB, (b) record the proceedings of the meetings of the FGB, (c) give, or cause to be given, notice of all meetings and special meetings of the FGB, and (d) perform such other duties as may be prescribed by the FGB, or Chair, under whose supervision he or she shall be.

D. ELECTION – The FGB shall elect officers of the FGB at its first meeting after each bi-annual meeting with the JAB.

E. TERM OF OFFICE – The officers of the FGB shall hold office until they are reelected, or their successors are elected, and serving.

F. COMMITTEES – The FGB Chair may establish and abolish committees as deemed necessary to carryout the FGB’s function. FGB members shall consider serving on at least one committee.

ARTICLE VII - INDEMNIFICATION AND INSURANCE

The FGB shall indemnify a board member or employee for any action or inaction in his or her capacity as a member or employee or at the request of the FGB, whether or not the action or inaction is expressly authorized by Ohio Revised Code sections 2301.51 to 2301.58 of the Ohio Revised Code and Chapter 5120;1-14 of the Ohio Administrative Code, if the member or employee acted in good faith and manner that he or she reasonably believed was in or was not opposed to the best interest of the FGB.

The FGB may procure a policy of liability insurance insuring members or employees of the Board against liability arising from the performance of their official duties.

ARTICLE VIII – AMENDMENTS

These Bylaws may be amended, altered, repealed, or suspended, either in whole or in part, by the affirmative vote of two-thirds of the members of the board at any duly organized meeting of the FGB.

ARTICLE IX – ANTI-DISCRIMINATION

The FGB and its employees shall not discriminate against any person or entity because of race, color, sex, religion, disability, national origin or any other factor as specified in Title VI of the Civil Rights Act of 1964, and Section 504 of the Rehabilitation Act of 1983 and subsequent amendments. Allegations of violation may be subject to investigation by the Office of Civil Rights Commission. The FGB, its employees and all persons under contract with the FGB shall comply with all appropriate federal and state anti-discrimination laws.

Facilities Governing Board Vote

A motion was made to accept the By-Laws as amended on February 10, 2012.

Ayes: Al Sanchez, Alexandra “Sandy” Turk, Charles See, Geoffrey Mearns, Gwendolyn Mitchel-Cole, Melanie R. GiaMaria, Esq., Russell Kaye, Thomas Washington, William Denihan, William Thompson

Nays: None. Motion passed.

A motion was made to amend the By-Laws on January 11, 2013

Ayes: Al Sanchez, Russell Kaye, Thomas Washington, Charles See, Melanie GiaMaria, Luis Vazquez, Paul Tepfenhart, William Denihan, William Thompson

Nays: None. Motion passed.