

# The Constitution of The Ohio Township Association

Adopted June 28, 1928, and subsequently amended to include amendments adopted January 21, 1965; January 21, 1971; January 18, 1979; January 22, 1982; January 21, 1983; January 18, 1985; January 23, 1987; February 8, 1991; January 29, 2004 (*language amended pursuant to SB 107 in 126th General Assembly*); and February 18, 2010.

## **ARTICLE I**

### **Name**

The name of this organization shall be "The Ohio Township Association."

## **ARTICLE II**

### **Membership**

All township trustees and fiscal officers in Ohio shall be entitled to ACTIVE membership in this Association. Former trustees and fiscal officers, and any other person so invited by a county association, shall be entitled to ASSOCIATE membership. Upon recommendation of the Board of Directors, the membership of the Association may elect, at an annual meeting, a person to HONORARY LIFE membership.

## **ARTICLE III**

### **Principles**

Local self-government is a vital principle of free institutions. This principle is recognized in the case of municipalities by giving Ohio cities the right to frame and amend their own charters. The people living in rural communities are likewise entitled to control their own local affairs. This can only be done by electing officials who are directly responsible to the voters, and by entrusting to them the control of township affairs. Township officials are neighborhood officials and, hence, are more directly responsible to the voters than any other officials can possibly be.

## **ARTICLE IV**

### **Purposes**

The purposes of this Association shall be:

1. To secure and preserve for the unincorporated areas of the state the benefits of local self-government through Home Rule administered by the township.
2. To protect the township against any attempt to abolish it as a governmental unit.
3. To resist any effort at further

centralization of governmental powers by depriving the township of any rights, duties or privileges which it now possesses.

4. To secure, through friendly intercourse, a better acquaintance among township officials.
5. To promote a better knowledge of the rights and duties of township officials, and by comparison of experiences and interchange of ideas, to arrive at the best way to discharge those duties.
6. To secure from the General Assembly legislation which will enable township government to function more efficiently.
7. To secure for the approximately 40,000 miles of township roads in Ohio an equitable share of gasoline tax and other road revenue, such revenue to be expended on township roads by township officials.

## **ARTICLE V**

### **Election of Officers**

1. The officers of this Association shall consist of the President, First Vice President, Second Vice President and Secretary-Treasurer and shall come from four different counties not currently represented by the Board of Directors. They shall be elected at the annual meeting of the Association in the even-numbered years for a term of two years except that the officers elected in 1961 shall serve for only one year.
2. There shall also be an Executive Director who shall be chosen by the Board of Directors and shall serve at the pleasure of the Board. The Board may enter into a contract with the Executive Director, but such contract shall not be for a period of more than two years. The Executive Director shall not have to be a township trustee or fiscal officer.
3. Beginning with the officers to be

elected in 1962, nominations for elective officers shall be presented to a Nominating Committee which shall be appointed by the President on or before the first day of October of the year preceding the election. The committees shall consist of nine members from nine different counties. The Nominating Committee shall present its reports, with not less than two nominees for each elected office, to the State Association Secretary on or before the first of December, and the Secretary shall, within 10 business days, notify by mail the President of each County Association of the names and addresses of the nominees. Additional nominations for any office may be made by petition signed by not less than 100 members of the State Association holding township office in not less than eight counties. Such petitions shall be filed with the Secretary of the State Association not less than five days before the annual convention. Election shall be by written ballot, voting machines or other similar method. No person may be a candidate for more than one of the four elective state offices at any one election. A majority of those voting for the office shall be required for election. In case no nominee receives a majority, then there shall be held a run-off election before the convention adjourns of the two nominees receiving the highest vote.

4. No one shall be eligible for election to office or membership on the Board of Directors of the Association unless at the time of election he shall be serving as a township trustee or fiscal officer, and any officer or member of the Board of Directors who, for any reason, ceases to be a township trustee or fiscal officer shall terminate his position as

officer or member of the Board of Directors as of the date he terminates holding office as a township trustee or fiscal officer.

5. No elective officer, other than a member of the Board of Directors, shall serve more than two consecutive terms in the same office. No person who has served as President of the Association shall be eligible to hold any office, including that as a member of the Board of Directors, in the Association for a period of two years immediately following the completion of his term of office, except that he may serve two consecutive terms as President as provided above. No person who is serving as President, First Vice President, Second Vice President or Secretary-Treasurer of the Association and runs unsuccessfully for the office of President, First Vice President, Second Vice President or Secretary-Treasurer of the Association is eligible to run for election to the Board of Directors of the Association for a period of 11 months from the date of the election in which he ran unsuccessfully.

#### **ARTICLE VI** **Duties of Officers**

1. Each officer shall discharge the duties usually incident to his office.

2. The President shall preside at all regular and called meetings of the Association, likewise at all meetings of committees and the Board of Directors except Nominating Committees.

3. In the event of a vacancy in the office of President, the First Vice President shall succeed thereto for the unexpired term. The Second Vice President shall, whenever a vacancy occurs in the office of First Vice President, succeed to that office for the unexpired term.

4. The Secretary-Treasurer shall keep minutes of meetings, supervise the handling of receipts and send out notices as provided by this Constitution.

5. The Executive Director shall be responsible for the operation of the State Association office, promotional activities, membership, lobbying, records, publicity and such other duties as may be prescribed by the Board of Directors. He shall pay out funds of the Association only as ordered by the Board of Directors.

6. In the event of a vacancy in any elective office of the Association for which no other provision is made, the Board of Directors shall select a successor for the unexpired term.

#### **ARTICLE VII** **Committees**

To assist the officers in carrying out the aims and purposes of the Association, there shall be a Board of Directors, an Executive Committee and an Auditing Committee.

#### **ARTICLE VIII** **Board of Directors**

1. There shall be a Board of Directors of 16 members from 16 different counties elected by the Executive Committee. Members shall serve a term of four years, except that the eight having the highest number of votes in the 1961 election shall serve for three years, and the eight having the next highest number of votes shall serve for one year. In case of a tie vote, the winner shall be determined by lot. Vacancies shall be filled by the Executive Committee for the unexpired terms. Any active member of the State Association, other than the President, First Vice President, Second Vice President and Secretary-Treasurer may be elected a member of the Board

of Directors. The President, Vice Presidents and Secretary-Treasurer of the State Association shall be ex-officio members of the Board of Directors, with full voting rights, and shall hold the same offices on the Board they hold in the State Association.

2. The Board of Directors shall be charged with the management of the Association. It shall adopt an annual budget, authorize all expenditures of Association funds and the employment of personnel to administer the affairs of the Association.

3. It shall be the duty of the Board of Directors to serve as the Legislative Committee of the State Association. The Board shall handle all proposals for legislation affecting township interest, and all such proposals shall be referred to the Board for investigation, consideration and sponsorship.

#### **ARTICLE IX** **Executive Committee**

Members of the Executive Committee shall be especially charged with the task of securing new members, enlisting the support of township and county officials, members of the legislature and other citizens in their respective communities. The Executive Committee shall elect the members of the Board of Directors at the annual meeting following the election of officers. Nominations shall be presented at said meeting by the Nominating Committee, consisting of five members of the Executive Committee, which shall be appointed by the President on or before the first day of October of the year preceding the election. The Nominating Committee shall present its report to the Secretary-Treasurer not later than the first day of December, and the Secretary-Treasurer shall, within 10 days, notify by mail the Executive Committeeman

of each County Association of the names and addresses of the nominees. Additional nominations may be made from the floor, provided that the person to be nominated from the floor has appeared before the Nominating Committee for Directors; and provided further the person to be nominated from the floor has submitted, not later than the start of the Executive Committee meeting at which the election will occur, a petition to the Secretary-Treasurer containing the signatures of not less than five members of the Executive Committee. Election shall be by written ballot. The members of this committee shall be chosen in part by election and in part by appointment, as follows:

1. Each County Township Association, at a local meeting held immediately before the annual meeting of the State Association, shall be entitled to elect one member to represent the County Association on the Executive Committee. If a duly elected Executive Committeeman is absent from any meeting of the Executive Committee, other officers present from such absentee's County Association in the order of President, Vice President and Secretary shall be eligible to serve as Executive Committeeman from such county.
2. In the case of counties where none of the County Association's elected officers are able to attend an Executive Committee meeting, the County Association's President may appoint in writing one of the County Association's active members to represent said county on the Executive Committee.
3. No person other than an active member shall represent a county at any meeting of the Executive Committee regardless of whether Section One or Section Two of Article IX was used to determine the County Association's

representative to the Executive Committee.

#### **ARTICLE X Auditing Committee**

1. There shall be an Auditing Committee of three active members of the Association appointed by the President.
2. It shall be the duty of the Auditing Committee to examine the books of the Secretary-Treasurer and the Executive Director, and make an annual report of the same to the Association at the annual convention.

#### **ARTICLE XI Meetings**

The annual meeting of this Association shall be held each January at such place as is selected by the Executive Committee. Special meetings of the Association may be called by the President at such times as are approved by the Board of Directors. The Executive Committee shall meet during each convention of the State Association and on call of the President, provided however, that the Secretary shall call a meeting of said Committee at any time upon the written request of 25 members of said Committee. The Board of Directors shall meet quarterly and on call of the President, provided however, that the Secretary shall call a meeting of said Board upon the written request of seven members of said Board.

#### **ARTICLE XII Order of Business**

1. President calling Association to order
2. Roll Call of officers
3. Report and address by President
4. Reports of Vice Presidents
5. Report of Secretary-Treasurer
6. Report of Executive Director
7. Report of Auditing Committee
8. Report of Executive Committee
9. Report of Board of Directors

10. Unfinished business
11. Program
12. Reports of Special Committees
13. General Discussion

#### **ARTICLE XIII Dues**

The annual active membership dues in the Association shall be fixed by the Board of Directors. Annual dues for associate members shall be fixed by the Board of Directors.

#### **ARTICLE XIV Amendments**

This Constitution may be amended at any annual meeting by a majority vote of the members present and voting. Proposals to amend this Constitution may only be initiated by a County Association or by the Board of Directors. Any proposed amendment must be filed with the Secretary at least 90 days before such meeting. Not less than 60 days before such meeting, he shall forward a copy of same to each County Association for consideration.

*Printed April 2008*