

## **OHIO ADVISORY COUNCIL FOR AGING BY-LAWS**

### **Article I : SUBJECT**

The name of this organization is the Ohio Advisory Council for Aging created in ORC, Section 173.03.

### **Article II: PURPOSE**

The purpose of this Council shall be to serve as the official state advisory council on aging for the State of Ohio. In this regard, the Council shall advise and assist the Department of Aging to:

- A. Represent the interests of older persons;
- B. Conduct public hearings;
- C. Develop and implement the State Plan on Aging;
- D. Review and comment on the state agency plans, budgets and policies which affect older persons;
- E. Develop recommendations for administrative or legislative action;
- F. Disseminate information concerning older persons; and,
- G. Serve as ambassadors for the Department at local organizations and senior centers by visiting, sharing and gathering information and ideas.

### **Article III: MEMBERSHIP**

- A. The Ohio Advisory Council for Aging shall consist of twelve (12) members to be appointed by the Governor with the advice and consent of the Senate. Only those members appointed to the Council by the Governor shall have a right to vote on matters before the Council.
- B. At the first meeting of the Council, and annually thereafter, the members shall elect one of their members to serve as Chairperson and one of their members to serve as Vice Chairperson.
- C. Members of the Council shall be appointed for a term of three (3) years. Each member shall hold office from the date of his/her appointment until the end of the term for which he/she was appointed. Any member appointed to fill a vacancy occurring prior to the expiration of the term for which his/her predecessor was appointed shall hold office for the remainder of the term. No member may continue in office subsequent to the expiration date of his/her unless reappointed under the provisions of ORC 173.03.
- D. Membership of the Council shall represent all areas of Ohio and shall be as follows:
  - 1. A majority of members of the Council shall have attained the age of sixty (60) and have a knowledge of the continuing interest in the affairs and welfare of the older citizens of Ohio. The fields of business, labor, health, law, and human services shall be represented in the membership.
  - 2. No more than seven members shall be of the same political party.
- E. Any member of the Council may be removed from office by the Governor for neglect of duty, misconduct or malfeasance in office after being informed in writing of the charges and afforded an opportunity for a hearing. Two consecutive unexcused absences from regularly- scheduled meetings constitute neglect of duty.
- F. Council members are not limited to the number of terms they may serve; however, no member shall serve more than three consecutive terms on the council.
- G. The Department of Aging may award grants to or enter into contracts with a member of the Advisory Council or an entity that the member represents if any of the following apply:
  - (a) The Department determines that the member or the entity the member represents is capable of providing the goods or services specified under the terms of the grant or contract.
  - (b) The member has not taken part in any discussion or vote of the council related to whether the Council should recommend that the Department of Aging award the grant to or enter into the contract with the member of the Advisory Council or the entity that the member represents.

(2) A member of the Advisory Council is not in violation of Chapter 102. or section 2921.42 of the Revised Code with regard to receiving a grant or entering into a contract under this section if the conditions of division (G)(1)(a) and (b) of this section have been met.

H. Two ex-officio members of the Council shall be members of the House of Representatives appointed by the Speaker of the House of Representatives and shall be members of two different political parties. Two ex-officio members shall be members of the Senate appointed by the President of the Senate and shall be members of two different political parties. The Directors of the Ohio Departments of Mental Health and Addiction Services, Developmental Disabilities, Health, and the Office of Medical Assistance, or their designees, shall serve as ex-officio members of the Council. An ex-officio representative from any statewide organization representing or working with seniors may be invited to attend. Such organizations include the AARP, Ohio Association of Senior Centers, Ohio Association of Areas Agencies on Aging, retirement groups, provider agencies, senior employment organizations, and so on. Representatives from other departments and agencies may be invited to Council meetings. Ex-officio members of the Council shall not have voting powers.

#### **Article IV: COMMITTEES**

- A. The Council may establish such standing committees as it deems necessary, e.g., Legislative Committee, Nominating Committee.
- B. The Chairperson of the Council, with the advice of the Director of the Department, shall appoint members to such Council committees as may be needed. The Chairperson may appoint non-members as advisors to Council committees as appropriate.
- C. Council committees shall function in an advisory capacity to the Council.
- D. The Director of the Department shall designate Ohio Department of Aging personnel to staff each committee.

#### **Article V: MEETINGS**

- A. The Council shall schedule at least six (6) Council meetings annually. While additional meetings may be scheduled at the call of the Chairperson, the Council may hold fewer than six (6) meetings a year depending upon the number of active issues before the Council. Under no circumstances, however, shall the Council hold fewer than two (2) Council meetings annually. Notice of the meetings shall be sent to members ten (10) days in advance of each meeting. Any Council member may petition the Chairperson for an emergency meeting.
- B. A quorum shall consist of at least one more than half of the total active membership of the Council. Ex-officio members will not be counted for the purpose of determining whether a quorum exists.
- C. The Director of Aging may reimburse a member for actual and necessary traveling and other expenses incurred in the discharge of official duties. But reimbursement shall be made in the manner and at rates that do not exceed those prescribed by the Director of Budget and Management.
- D. Meetings of the Council shall be open to the public. Non-members who wish to speak during a meeting shall notify the chairperson in advance of the meeting.

#### **Article VI: RULES OF ORDER**

Robert's Rules of Order shall be used to resolve any procedural conflict in the conduct of the meetings of the Council and its committees.

#### **Article VII: AMENDMENTS TO BY-LAWS**

These by-laws may be amended at any regular meeting of the Council by a two-thirds vote of those present, provided that the amendment has been submitted, in writing, by an appointed council member at least ten (10) business days in advance of the meeting.