

**THE MCDONNELL CENTER
COMMUNITY-BASED CORRECTIONAL FACILITY
GOVERNING BOARD BYLAWS
(5-23-08; Amended 2-10-12; Amended 1-11-13; Amended 7-14-23)**

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 (PURSUANT TO ORC SECTION 2301.51)

A. – The Facility Governing Board (FGB) shall consist of twelve (12) members, with each member serving a staggered, 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.

B. APPOINTMENT – The FGB members shall be appointed by the Cuyahoga County Judicial Advisory Board (JAB) and the County Executive. The JAB shall appoint eight (8) of the members and the County Executive shall appoint four (4) of the members of the FGB.

C. COMPOSITION – Recommended representation includes, but is not limited to: Cuyahoga County Executive’s Office; Cuyahoga County Council; Cuyahoga County Sheriff’s Office; Alcohol, Drug, and Mental Health Services Board of Cuyahoga County; Cuyahoga County Court of Common Pleas Administration; Cuyahoga County Public Defender’s Office; Cuyahoga County Prosecutor’s Office; Cuyahoga County Court of Common Pleas Adult Probation Department; Cuyahoga County Defense Lawyers Association; Cleveland City Government; Cleveland Municipal Court; Cleveland Metropolitan Housing Authority; Cuyahoga County Board of Developmental Disabilities; Cuyahoga County Department of Children and Family Services; and the Cuyahoga County Office of Reentry.

D. ORIENTATION - All newly appointed members shall attend an approved orientation training to review their statutory responsibilities as a member of the FGB. This orientation shall include, but is not limited to the following: ethics training as required by law; the statutory responsibilities of the FGB and the CBCF; the meeting frequency and format; the FGB composition and structure; and the facility and its operations. The CBCF Program staff, in consultation with the FGB Chairperson, shall be responsible for the trainings.

E. REAPPOINTMENT – Any member of the FGB may be reappointed to serve additional, three (3) year terms, by the appointing authorities.

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

G. 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 attend annual ethics training as required by law.

H. REMOVAL FROM OFFICE - Any member of the FGB may be removed for due cause by either the appropriate appointing authority or by two thirds of the FGB membership.

I. 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, as approved by the FGB.

J. VOTING RIGHTS – Each member of the FGB shall be entitled to one vote. In order to cast a vote, the member shall be present, in person, at the meeting.

ARTICLE IV – FGB MEETINGS

A. 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. The FGB may meet as often as considered necessary by its members, but not less than quarterly.

1. Meetings shall be conducted in a manner as outlined in Robert’s Rules of Order.
2. The Facility operator shall provide administrative support to the FGB and fulfill the following functions:
 - a. Keeping the meeting minutes,
 - b. Preparing the meeting agenda,
 - c. Circulating the meeting minutes and agenda in advance of all meetings,
 - d. Issuing the notice of whether a quorum has been tentatively established for the next meeting, to the best of the operator’s ability,
 - e. Perform such other administrative duties as may be prescribed by the FGB, or Chair.

B. MEETING PLACE – The FGB shall hold meetings at the principal office of the community based correctional facility or at such other place as specified in the notice of the meeting. The first quarterly meeting of the year shall be a joint meeting with the Judicial Advisory Board (JAB) and shall be held at a location and time that is convenient for the JAB.

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 place as specified in the notice of the meeting 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. ATTENDANCE – Members shall not miss more than two (2) meetings in a calendar year, including special meetings, without prior notification to the FGB in writing or by email.

E. NOTICE – A written notice of each regular meeting, stating the time and place, and in case of special meetings, its purpose, shall be mailed or e-mailed, to each FGB member at least seven (7) days before the meeting. For special meetings, the Chairperson will attempt to provide notice by email or phone/text message, a minimum of twenty four (24) hours prior to the meeting. At minimum, the notice shall contain the time, location, agenda and relevant documents. Failure of notice shall not invalidate the proceedings. Notice of FGB meetings shall further be made available to the public.

F. QUORUM – A majority of the sitting members of the FGB shall constitute a quorum at all meetings. If, however, there is no quorum within fifteen (15) minutes after the start of the meeting, members shall adjourn the meeting, without notice other than announcement at the meeting, until the next scheduled meeting.

G. BINDING THE FGB - The FGB shall provide prior authorization to the Chair to execute documents on its behalf.

ARTICLE V – FGB DUTIES AND RESPONSIBILITIES

A. GENERAL POWERS – The Ohio Revised Code shall empower the FGB in its duties and responsibilities in the operation of a community-based correctional facility.

ARTICLE VI – OFFICERS

A. All officers of the FGB shall be members of the FGB.

B. The officers of the FGB shall be the Chair and Vice-Chair elected by the FGB.

C. ELECTION – The FGB shall elect officers of the FGB at its first quarterly meeting of the year. The Chair shall be elected at the first meeting of every even-numbered year, and the Vice Chair shall be elected at the first meeting of every odd-numbered year. Open nominations for the officers shall be put forth. A voice vote of those FGB members in attendance shall be required to elect an officer, and the nomination and voting process shall be repeated as many times as necessary until such time as a nominated FGB member receives a majority vote of the membership present.

D. TERM OF OFFICE – The term of office for an FGB officer shall be for two (2) years, beginning from the first quarterly meeting. The officers of the FGB shall hold office until they are reelected, or their successors are elected, and serving. In the event of an officer vacancy, the successor shall be elected by a majority vote of the FGB at the next meeting and shall serve the remainder of the current term.

E. CHAIR – The Chair of the FGB shall preside at all meetings of the FGB, shall establish committees, including Ad Hoc Committees, as deemed necessary for the FGB to conduct its business with the concurrence of the majority of the membership present; and shall appoint the members to established committees and shall designate one of these appointed members as chair of such committees.

F. VICE CHAIR –The Vice Chair shall assume all Chair responsibilities and duties in the absence of the Chair, and when so acting, shall be subject to all restrictions upon the Chair.

G. COMMITTEES – Committee membership may include FGB members and non-members, as approved by the FGB.

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

Any member of the FGB may propose amendments to these Bylaws. Once seconded, the FGB shall vote to consider the amendment. An affirmative vote of the majority of the membership is required for adoption.

ARTICLE IX – ANTI-DISCRIMINATION

The FGB and its assignees shall not discriminate against any person or entity because of race, ethnicity, color, sex, sexual orientation, age, ancestry, handicap, religion, disability, national origin or any other factor as prescribed by law. The FGB, its assignees, and all persons under contract with the FGB shall be required to comply with all appropriate federal and state anti-discrimination laws.

Facilities Governing Board Bylaw Amendments

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.

Motion was made by Scott Osiecki to adopt amended changes to the bylaws. Luis Vasquez second the motion on July 14, 2023

Ayes: Al Sanchez, Vincent Holland, Greg Popvich, Charles See, Myriam Miranda

Nays: none