

County of Cuyahoga County
Ohio

Cuyahoga County Monument
Commission

By-Laws

Adopted: 11-19-2021

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Cuyahoga County

Monument Commission

By-Laws

ARTICLE 1- AUTHORITY

The Cuyahoga County Monument Commission (CCMC) was established by the County Council of the County of Cuyahoga, Ohio, pursuant to Article III, Section 3.09(2) of the Charter of Cuyahoga County, by enacting Ordinance No. 02013-0022, amending the Cuyahoga County Code to enact Section 206.10, adopted November 26, 2013.

ARTICLE 2- DEFINITIONS

Wherever used in these Bylaws, the following terms have the meanings indicated which are applicable to both the singular and plural thereof unless such meaning is clearly precluded by the context in which the term is used.

CCMC. The Cuyahoga County Monument Commission

Charter. The Charter of the County of Cuyahoga, Ohio, adopted November 3, 2009 and effective January 1, 2010.

County. The County of Cuyahoga, Ohio.

County Council. The County Council of the County of Cuyahoga, Ohio

County Executive. The County Executive of Cuyahoga, Ohio

Organizational Meeting. The CCMC meeting defined in Section 7.1 of these Bylaws.

Article 2- Definitions, as used in this Section.

- (1) "Monument" shall mean any statuary, sculpture, foundation, garden, mural, nameplate, marker, park land, works of art, and other symbolic forms of public art erected to commemorate famous or notable persons, communities or historic events;
- (2) "Person(s)" shall mean an individual, corporation, business trust, estate, trust, partnership, limited liability company, association, joint venture, governmental agency, public corporation, or other legal or commercial entity;
- (3) "Donation" shall mean any monument or any monetary amount designated for the construction and maintenance of a monument;
- (4) "Loan" shall mean a deposit of property that is not accompanied by a transfer of title to the property;
- (5) "Ordinary Expenses" shall mean costs associated with operations, maintenance, and minor repairs of a monument.

Article 3- Powers and Duties

A. Cuyahoga County Monument Commission Established.

- (1) To encourage and promote a diverse and representative cultural environment for and on behalf of the citizens and visitors of Cuyahoga County through appropriate memorialization of significant persons, communities, and historic events, as well as to provide the opportunity to further enrich such citizenry through public monuments, the Cuyahoga County Monument Commission is hereby established.

B. Purpose of Monument Commission:

- (1) The purpose of the Monument Commission is to ensure that if new Monuments are erected on Cuyahoga County property, and that when existing Monuments are restored, renovated, enhanced, and/or repaired, such actions shall be taken in accordance with rules and procedures established by the Commission. The Commission reviews all proposals for new Monuments to be restored, renovated, enhanced and/or repaired in accordance with rules and procedures established by the Commission.

Article 4- Members

4.1 Number of members; Selection and Appointment.

- A. To consist of seven voting members, each of whom shall be an elector of Cuyahoga County.
- B. To include a representative of the County Planning Commission, a representative of the County Department of Public Works, and a member of the County Council to be determined by the President. The other four

members shall be individuals who have demonstrated a significant interest in studying the arts of local history.

C. Other than the member of Council, each commission member shall be appointed by the County Executive and confirmed by the County Council.

4.2 Commission Member Terms and Service.

(A) The term of office for each Commission member shall be three years.

(B) Terms of office for other than a Council member, shall commence upon the date specified in the motion proposing confirmation by Council

(C) Of the initial terms for Commission membership, four members shall be appointed to full terms and three members shall be appointed to half terms.

(D) Commission membership shall be a non-compensated position, but members shall be entitled to reimbursement for reasonable expenses in connection with Commission duties.

(E) If a Commission member, other than a Council member, should resign, the County Executive shall appoint, subject to the approval of County Council, a replacement Commission member to fulfill the remainder of the vacated term.

(F) Indemnification of CCMC members shall be in accordance with the Ohio Revised Code, Chapter 2744, or such applicable successor statute.

Article 5-

Officers.

5.1

Officers The CCMC officers shall be the Chairperson and the Vice-Chairperson

5.2

Selection of Officers. The CCMC officers shall be elected annually at the CCMC Organizational Meeting described in Section 7.1, below. The sequence of the election shall be the Chairperson and then the Vice-Chairperson. Open nominations shall be put forth and a majority roll call vote of the CCMC members shall be required to elect an officer. The nomination and voting process shall be repeated as necessary until a nominee receives a majority voice for such office.

5.3

Term of Office. An officer shall serve until the next succeeding Organizational Meeting.

5.4 **Removal from Office.** The CCMC may remove any officer by a roll call and by an affirmative vote of no fewer than five (5) CCMC members in attendance at any Regular or Special meeting,

5.5 **Chairperson’s Duties.** A Chairperson’s duties shall be as follows:

A. To call and preside at all CCMC meetings;

B. To appoint CCMC members to chair the committees established by the CCMC pursuant to Article 7;

C. Cause to have the following done:

1. Notice of Regular and Special meetings to be served on the CCMC members and posted on its web page; and

2. Preparation of the agenda for the CCMC meetings;

D. Any other duties determined appropriate by a majority roll call vote of the CCMC members in attendance at any Regular or Special meeting of the CCMC.

5.6 **Vice-Chairperson’s Duties.** The Vice Chairperson shall assume the duties of the Chairperson in his or her absence.

Article 6-The Cuyahoga County Monument Commission Rules and Procedures

6.1 The Commission shall be responsible for establishing rules and procedures for governing Cuyahoga County Monuments. Such rules shall include guidelines, criteria, and procedures for considering monument proposals, approval of monument designs and locations, acceptance of monuments and donations, whether as gifts or loans, financial responsibility, insurance, and other costs. The Commission shall include any other rules it deems necessary for carrying out its purposes.

- A. **Approval of Monument Designs.** In approving Monument design, the Commission shall establish standard criteria which shall include, but not be limited to, size, safety, suitability, and sustainability.
- B. **Approval of Monument Locations.** In approving Monument locations, the Commission shall establish standard criteria which shall include, but not be limited to, safety, space constraints, pedestrian and traffic flow, and historical significance of the site.
- C. **Requirement of Necessary Permitting and Permissions.** Unless otherwise negotiated, the donor(s) of or applicants for a monument, whether new or renovated or repaired, are solely responsible for obtaining all necessary permits from the requisite County Departments and other governmental entities and to coordinate with the requisite entity to ensure that no utilities are damaged during installations and/or repairs.
- D. **Donations.** (1) The County may accept donations upon a vote of the Commission (2) When a monument is donated to the County, the donor must provide all funds for the planning, installation, and other incidental expense of the monument unless otherwise negotiated prior to acceptance.
- E. **Loaning a Monument.** (1) The County may accept a Monument on loan upon a vote of the Commission. (2) The County may accept Monuments on loan from a person, but prior to acceptance, the County shall negotiate all financial outlays for the cost of planning, installation, maintenance, and removal.
- F. **Financial Liability for Monuments.** Unless otherwise negotiated, the lender of a Monument shall provide full insurance for the Monument. Unless otherwise negotiated, the donor of a Monument shall provide funds sufficient for upkeep and to obtain the proper insurance coverage for a time to be determined by the Commission. In the event that a Monument is destroyed, rendered irreparable, or financially impracticable to replace, the Commission shall make all determinations in regards to replacement, movement, or closure of the Monument.

Article 7- Meetings

- 7.1 **Organizational Meeting.** The CCMC Organization Meeting shall be held annually between January and February 28 each year.

7.2 Quorum. The CCMC shall conduct its business at any regular or Special Meeting only if a majority of the CCMC members are in attendance.

7.3 Voting. Unless otherwise specified in these Bylaws, a majority vote of a quorum at a meeting shall be required to approve any and all matters under consideration. The vote on each matter considered by the CCMC shall be itemized in the official Minutes of the CCMC.

7.4 Regular Meetings.

A. Regular Meetings of the CCMC shall be held in accordance with the calendar adopted at the Organizational Meeting described in Section 7.1 above. An announcement of said meetings shall be posted to the Cuyahoga County website and publicized in accordance with ORC Section 121.22 (“Ohio’s Open Meetings Law”)

B. Written notice of any Regular Meeting, or cancellation thereof, is to be served to the CCMC members not less than five (5) business days prior to the date of such meeting. The notice shall be set via electronic mail and shall include the meeting agenda; provided that any CCMC member may request that such notice be sent via First Class United States Mail, postage prepaid.

C. A CCMC member may request that a matter be added to the agenda of a Regular Meeting at or prior to such meeting.

D. The CCMC shall schedule at least two (2) Regular Meetings annually, in addition to the Organizational Meeting described in Section 7.1 above. Other additional or re-scheduled Regular Meetings may be placed on the CCMC’s calendar, provided that all notice requirements detailed herein, are satisfied.

E. Regular Meetings of the CCMC shall be conducted at the regular place of business at the County Archives or at such other location as published on the Cuyahoga County website.

7.5 SPECIAL MEETINGS

A. A special meeting of the CCMC may be called by the CCMC Chairperson. In addition, a Special Meeting shall be called by the CCMC Chairperson upon receiving a written request for such a meeting from four (4) members of the CCMC.

B. A Special Meeting of the CCMC shall not require the five (5) day prior written notification specified in Section 6.4 above.

C. The CCMC Chairperson shall make a good faith effort provide all CCMC members with telephone and written notification of a Special Meeting of the CCMC, including an agenda, time, and location, not less than forty-eight (48) hours prior to such Special Meeting.

D. Notice of any Special Meeting shall be immediately posted to the Cuyahoga County website.

E. No business shall be transacted at a Special Meeting of the CCMC on any matter not included on the agenda of said Special Meeting.

7.6 Public Meetings; Notice. All CCMC meetings shall be noticed and conducted pursuant to Ohio's Open Meetings Law. Specifically, and without limitation, the CCMC shall establish a reasonable method that allows the public to determine the time and place of Regular Meetings, and the time, place, and purpose of a Special Meeting.

7.7 Meeting Minutes. Full and accurate minutes of each Regular and Special Meeting shall be promptly prepared, and shall include a summary of the meeting's proceedings, specified actions and the reasons therefore indicated in detail, and the vote of each member on roll call votes; such minutes shall include the names of members in attendance. CCMC meeting minutes shall be posted to the Cuyahoga County website following approval of same by the CCMC.

7.8 Meeting Agenda. The CCMC Meeting Agenda shall be set by the CCMC Chairperson.

7.9 Rules of Order. All CCMC meetings shall be conducted in accordance with "Robert's Rules of Order."

Article 8- Committees

8.1 Establishment. The CCMC may establish those committees it deems appropriate to conduct its business.

8.2 Abolishment. The CCMC may abolish any committee which the CCMC has established pursuant to Section 8.1.

8.3 Committee Chairs. The Chairperson of each committee established by the CMC shall be a CCMC member and shall be appointed by the CCMC Chairperson.

8.4 Committee Membership. The committee chairperson shall invite CCMC members and/or other persons to serve as members of a CCMC committee. All

members of a CCMC committee shall have the same privileges, including voting, on any matter before the committee.

8.5 Rules and Procedures. The CCMC may establish rules and or procedures governing the conduct of committee business and the interface of the committee with the CCMC.

Article 9- Amendment of ByLaws

Unless such amendment is mandated by federal, state, or county law, these Bylaws may be amended by a majority roll call, and by no fewer than five (5) affirmative votes, of the CCMC members in attendance at any Regular Meeting of the CCMC. Any amendment to the CCMC Bylaws that is mandated by federal, state, or county law shall be introduced by the Chairperson of the CCMC at the first available Regular Meeting of the CCMC. Copies of the mandated Bylaw amendments shall be issued to all members of the CCMC and shall cause all mandated amendments to be incorporated into the current version of the CCMC Bylaws. Amendments to the Bylaws that are not mandated by federal, state or county law, shall not be adopted at any Regular Meeting at which it is introduced.

Article 10- Interpretation of ByLaws

Any and all questions regarding the interpretation of these ByLaws shall be referred by the CCMC to the Cuyahoga County Department of Law, and such interpretation shall be final.

