

July 11, 2007

Frederick O. Kiel
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SYLLABUS:

2007-019

1. The president of a board of township trustees may enforce a limit on the amount of time allotted for public participation at a regular meeting of the board, including time limits for individual speakers, provided the president exercises such authority in accordance with the board's rules for meeting procedure.
2. The president of a board of township trustees may waive the limit on the amount of time allotted for public participation at a regular meeting of the board or for a member of the public to speak during the public participation portion of the meeting, provided the president exercises such authority in accordance with the board's rules for meeting procedure.
3. The president of a board of township trustees may prohibit a member of the public from speaking at a regular meeting of the board about a matter that is not within the purview of the board's legislative authority or that is unrelated to township government or an item on the meeting's agenda, provided the president exercises such authority in accordance with the board's rules for meeting procedure.
4. When a board of township trustees deems it necessary because of time constraints or exigent circumstances, the board may curtail public participation at a regular meeting and request members of the public to speak at the board's next regular meeting or submit correspondence to the board.
5. Neither the Revised Code nor generally accepted rules of parliamentary procedure require a board of township trustees to conduct a vote to approve the minutes of its regular meetings. A board of township trustees may be required by a formal motion of a trustee or the board's rules for

meeting procedure to conduct a vote to approve the minutes of a regular meeting. When a board of township trustees is required to conduct a vote to approve the minutes of a regular meeting, the vote must be conducted in accordance with the board's rules for meeting procedure. A board of township trustees' rules for meeting procedure should state whether a township trustee may vote to approve the minutes of a regular meeting of the board of township trustees when the trustee was absent from the meeting.

6. The word "constable," as used in R.C. 505.09, refers to a police constable appointed under R.C. 509.01 and may not reasonably be read as referring to a county deputy sheriff appointed under R.C. 311.04.
7. A board of township trustees is not required by statute to prepare and distribute to the public or media a written agenda for a regular meeting.



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OPINION NO. 2007-019

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Dear Law Director Kiel:

You have requested an opinion concerning the authority of a board of township trustees to maintain order at, approve the minutes of, and provide and distribute a written agenda for, its regular meetings. In particular, you are interested in knowing the following:

1. May the president of a board of township trustees enforce a limit on the amount of time allotted for public participation at a regular meeting of the board, including time limits for individual speakers, and, if so, may the president waive the time limits?
2. May the president of a board of township trustees prohibit a member of the public from speaking at a regular meeting of the board about a matter that is not within the purview of the board's legislative authority or that is unrelated to township government or an item on the meeting's agenda?
3. May a board of township trustees limit public participation at a regular meeting and request members of the public to speak at the board's next regular meeting or submit correspondence to the board when time constraints or exigent circumstances require such action by the board?
4. May a township trustee vote to approve the minutes of a regular meeting of the board of township trustees when the trustee was absent from the meeting?

5. May the word “constable,” as used in R.C. 505.09, be fairly read to include a county deputy sheriff appointed under R.C. 311.04?
6. Is a board of township trustees required to prepare and distribute to the public or media a written agenda for a regular meeting?

On the basis of the analyses set forth in this opinion, we reach the following conclusions:

1. The president of a board of township trustees may enforce a limit on the amount of time allotted for public participation at a regular meeting of the board, including time limits for individual speakers, provided the president exercises such authority in accordance with the board’s rules for meeting procedure.
2. The president of a board of township trustees may waive the limit on the amount of time allotted for public participation at a regular meeting of the board or for a member of the public to speak during the public participation portion of the meeting, provided the president exercises such authority in accordance with the board’s rules for meeting procedure.
3. The president of a board of township trustees may prohibit a member of the public from speaking at a regular meeting of the board about a matter that is not within the purview of the board’s legislative authority or that is unrelated to township government or an item on the meeting’s agenda, provided the president exercises such authority in accordance with the board’s rules for meeting procedure.
4. When a board of township trustees deems it necessary because of time constraints or exigent circumstances, the board may curtail public participation at a regular meeting and request members of the public to speak at the board’s next regular meeting or submit correspondence to the board.
5. Neither the Revised Code nor generally accepted rules of parliamentary procedure require a board of township trustees to conduct a vote to approve the minutes of its regular meetings. A board of township trustees may be required by a formal motion of a trustee or the board’s rules for meeting procedure to conduct a vote to approve the minutes of a regular meeting. When a board of township trustees is required to conduct a vote to approve the minutes of a regular meeting, the vote must be conducted in accordance with the board’s rules for meeting procedure. A board of township trustees’ rules for meeting procedure should state whether a township trustee may vote to approve the minutes of a regular meeting of the board of township trustees when the trustee was absent from the meeting.

6. The word “constable,” as used in R.C. 505.09, refers to a police constable appointed under R.C. 509.01 and may not reasonably be read as referring to a county deputy sheriff appointed under R.C. 311.04.
7. A board of township trustees is not required by statute to prepare and distribute to the public or media a written agenda for a regular meeting.

A Board of Township Trustees Is Required to Conduct Public Meetings that Are Open to the Public

R.C. 121.22 requires a board of township trustees and other public bodies¹ “to take official action and to conduct all deliberations upon official business only in open meetings unless the subject matter is specifically excepted by law.” R.C. 121.22(A). Under division (C) of this statute, all meetings² of a board of township trustees “are declared to be public meetings open to the public at all times.” The only exceptions to this mandate are set forth in R.C. 121.22(G), which authorizes a board of township trustees to conduct executive sessions to privately discuss personnel matters, purchases and sales of property, suits involving the board,

¹ As used in R.C. 121.22, a “public body” is any of the following:

- (a) Any board, commission, committee, council, or similar decision-making body of a state agency, institution, or authority, and any legislative authority or board, commission, committee, council, agency, authority, or similar decision-making body of any county, township, municipal corporation, school district, or other political subdivision or local public institution;
- (b) Any committee or subcommittee of a body described in division (B)(1)(a) of this section;
- (c) A court of jurisdiction of a sanitary district organized wholly for the purpose of providing a water supply for domestic, municipal, and public use when meeting for the purpose of the appointment, removal, or reappointment of a member of the board of directors of such a district pursuant to [R.C. 6115.10], if applicable, or for any other matter related to such a district other than litigation involving the district. As used in division (B)(1)(c) of this section, “court of jurisdiction” has the same meaning as “court” in [R.C. 6115.01].

R.C. 121.22(B)(1). Because a board of township trustees is a public body, as defined in R.C. 121.22(B)(1)(a), the board is subject to the requirements of R.C. 121.22. *See Bd. of Twp. Trustees v. Spring Creek Gravel Co., Inc.*, 45 Ohio App. 2d 288, 344 N.E.2d 156 (Shelby County 1975); 1992 Op. Att’y Gen. No. 92-032 at 2-122 n.1.

² A “meeting,” for purposes of R.C. 121.22, is “any prearranged discussion of the public business of the public body by a majority of its members.” R.C. 121.22(B)(2).

collective bargaining matters, matters required to be kept confidential by law, security arrangements, and emergency response protocols.³ See R.C. 121.22(A).

For purposes of R.C. 121.22, the meetings of a board of township trustees are classified as “regular” or “special” meetings. See 1988 Op. Att’y Gen. No. 88-029 at 2-122. Regular meetings “are those which are held at prescheduled intervals.” *Id.* Examples of regular meetings are monthly and annual meetings. *Id.* Special meetings, which include emergency meetings, are all meetings other than regular meetings. 1990 Op. Att’y Gen. No. 90-028 at 2-106 and 2-107; 1988 Op. Att’y Gen. No. 88-029 at 2-122.

R.C. 121.22(F) requires further that a board of township trustees establish by rule a reasonable method by which to notify the public of the time and place of all its regular meetings, and the time, place, and purpose of all its special meetings. The board must also provide a person with reasonable advance notification of all regular and special meetings at which a specific type of public business is to be discussed when the person requests and pays a reasonable fee for such notification. R.C. 121.22(F).

If a board of township trustees fails to conduct a regular or special meeting as an open meeting or violates R.C. 121.22(F), any resolution, rule, or formal action of the board taken at the meeting is invalid. R.C. 121.22(H).⁴ Any person may bring a civil action to compel a board of township trustees to comply with the provisions of R.C. 121.22 when conducting its regular and special meetings. R.C. 121.22(I).

Authority of the President of a Board of Township Trustees to Enforce Time Limits for Speaking at Regular Meetings

Your first question asks whether the president of a board of township trustees may enforce a limit on the amount of time allotted for public participation at a regular meeting of the

³ Additional exceptions to the requirements of R.C. 121.22 are also set forth in R.C. 121.22(D)-(E) and R.C. 121.22(J). These exceptions do not, however, apply to meetings conducted by a board of township trustees.

⁴ R.C. 121.22(H) provides:

A resolution, rule, or formal action of any kind is invalid unless adopted in an open meeting of the public body. A resolution, rule, or formal action adopted in an open meeting that results from deliberations in a meeting not open to the public is invalid unless the deliberations were for a purpose specifically authorized in division (G) or (J) of this section and conducted at an executive session held in compliance with this section. A resolution, rule, or formal action adopted in an open meeting is invalid if the public body that adopted the resolution, rule, or formal action violated division (F) of this section.

board, including time limits for individual speakers, and, if so, whether the president may waive the time limits.⁵ No statute explicitly establishes the position of president of a board of township trustees. Cf. R.C. 305.05 (“[t]he board of county commissioners shall organize on the second Monday of January of each year, by the election of one of its members as president for a term of one year”); R.C. 307.053(D) (the board of trustees of a joint emergency medical services district “shall adopt a code of regulations that provides for the annual election of a president”); R.C. 3375.32 (a board of library trustees shall annually select from its members a president). The language of various statutes indicates, however, that one of the members of a board of township trustees must serve as the board’s president. See, e.g., R.C. 505.17(A) (“[a] board of township trustees may adopt a general snow-emergency authorization ... allowing the president of the board or some other person specified in the authorization to issue an order declaring a snow emergency and limiting or prohibiting parking on any township street or highway during the snow emergency”); R.C. 505.481 (when a joint township police district board is formed, “[t]he president of the board of township trustees of the most populous participating township shall give notice of the time and place of organization to each member of the board of township trustees of each participating township”); R.C. 513.07 (when a joint township district hospital board is formed, “[t]he president of the board of township trustees of the most populous township participating shall give notice of the time and place of organization to each member of the board of township trustees of each township comprising the district”); R.C. 3709.03 (a general health district advisory council shall consist of “the president of the board of township trustees of each township”).

The term “president” is not defined for purposes of these statutes. Accordingly, R.C. 1.42 requires this term be accorded its common, ordinary meaning. As defined in *Merriam-Webster’s Collegiate Dictionary* 982 (11th ed. 2005), the term “president” means, among other things, “an official chosen to preside over a meeting or assembly.” *Accord Black’s Law Dictionary* 1222 (8th ed. 2004); see Gen. H. Robert, *Robert’s Rules of Order, Newly Revised*, 432-33 (10th ed. 2000). The president of a board of township trustees thus is the trustee who is responsible for presiding over the board’s meetings.

⁵ Although R.C. 121.22 requires a board of township trustees to allow the public to attend its meetings, “there is no requirement in R.C. 121.22 that a [board of township trustees] provide the public with an opportunity to comment at its meetings.” 1992 Op. Att’y Gen. No. 92-032 at 2-124; *accord Black v. Mecca Twp. Bd. of Trustees*, 91 Ohio App. 3d 351, 356, 632 N.E.2d 923 (Trumbull County 1993); see *Wyse v. Rupp*, Case No. F-94-19, 1995 Ohio App. LEXIS 4008, at *12 (Fulton County Sept. 15, 1995); *Forman v. Blaser*, Case No. 13-87-12, 1988 Ohio App. LEXIS 3405, at *8 (Seneca County Aug. 8, 1988). See generally *Minnesota State Bd. for Community Colleges v. Knight*, 465 U.S. 271, 283 (1984) (“[t]he Constitution does not grant to members of the public generally a right to be heard by public bodies making decisions of policy”); Gen. H. Robert, *Robert’s Rules of Order, Newly Revised*, 94 (10th ed. 2000) (attendees of a meeting held by a public body have no right to participate).

No statute enumerates the specific powers granted to the president of a board of township trustees while presiding over a board's meeting. Where an officer is given a particular responsibility, "in the absence of specific directions covering in detail the manner and method of doing it, the command carries with it the implied power and authority necessary to the performance of the duty imposed." *See generally State ex rel. Hunt v. Hildebrant*, 93 Ohio St. 1, 112 N.E. 138 (1915) (syllabus, paragraph four), *aff'd sub nom. Ohio ex rel. Davis v. Hildebrant*, 241 U.S. 565 (1916); *accord State ex rel. Corrigan v. Seminatore*, 66 Ohio St. 2d 459, 470, 423 N.E.2d 105 (1981); *Fed. Gas & Fuel Co. v. City of Columbus*, 96 Ohio St. 530, 541, 118 N.E. 103 (1917); 1973 Op. Att'y Gen. No. 73-057 at 2-217 and 2-218; 1928 Op. Att'y Gen. No. 2955, vol. IV, p. 2736, at 2740.

The responsibility of a public officer to preside over a meeting clearly connotes the implied power to take such action as is reasonably necessary to exercise control over the meeting to allow the public body to conduct its business in an orderly manner. *See Merriam-Webster's Collegiate Dictionary* 982 (11th ed. 2005) (defining "preside" to mean "to exercise guidance, direction, or control"); *Black's Law Dictionary* 1222 (8th ed. 2004) ("preside" means "[t]o occupy the place of authority ... [t]o exercise management or control"). *See generally* R.C. 2917.12 (no person with purpose to prevent or disrupt a lawful meeting may do any act that obstructs or interferes with the due conduct of the meeting. Whoever commits such an act is guilty of disturbing a lawful meeting, a misdemeanor of the fourth degree); *Kalk v. Village of Woodmere*, 27 Ohio App. 3d 145, 148, 500 N.E.2d 384 (Cuyahoga County 1985) (a public body has an inherent right to conduct orderly meetings); 2003 Op. Att'y Gen. No. 2003-019 at 2-147 (the authority of a board of education to provide security and maintain order extends to meetings and other official functions of the board). Such action may properly include the establishment and enforcement of time limits for public participation at its meetings. *See generally Hansen v. Westerville City School Dist.*, Case Nos. 93-3231 and 93-3303, 1994 U.S. App. LEXIS 31576, at *19 (6th Cir. 1994) ("the government may place limitations on the time, place and manner of access to [limited public] forums");⁶ *Princeton Educ. Ass'n v. Princeton Bd. of Educ.*, 480 F. Supp. 962, 967 (S.D. Ohio 1979) (a public body "may, of course, impose reasonable time, place, and manner restrictions on speakers during the visitor recognition portion of their meetings"). Accordingly, if the president of a board of township trustees determines that time limits on public participation are necessary to maintain order and decorum at a regular meeting of the board, the president may establish and enforce a limit on the amount of time allotted for public participation at the meeting or for a member of the public to speak during the public participation portion of the meeting.

The authority of the president of a board of township trustees to preside over the board's regular meetings must, however, be exercised in accordance with the board's rules for meeting

⁶ A meeting conducted by a public body, "when opened to the public, is a limited public forum." *Hansen v. Westerville City School Dist.*, Case Nos. 93-3231 and 93-3303, 1994 U.S. App. LEXIS 31576, at *19 (6th Cir. 1994).

procedure. See 1990 Op. Att’y Gen. No. 90-028 at 2-105 and 2-106 (“[t]he presiding officer’s authority derives not from the nature of the office, but directly from the will of the majority of the public body. Am. Soc. of Legislative Clerks and Secretaries, *Mason’s Manual of Legislative Procedure* § 578 (rev. ed. 1989) (“[u]nder ordinary conditions the authority of the presiding officer is derived wholly from the board itself. The presiding officer is the servant of the body to declare its will and obey its commands’”). As explained in prior opinions of the Attorneys General, a board of township trustees is authorized to adopt reasonable rules for the conduct of its meetings. 1992 Op. Att’y Gen. No. 92-032 (syllabus, paragraph two); 1988 Op. Att’y Gen. No. 88-087 (syllabus, paragraph one); see 1931 Op. Att’y Gen. No. 3266, vol. II, p. 724, at 726; see also R.C. 504.09 (“[a] board of township trustees⁷ shall determine its own rules and order of business” (footnote added)). A board adopts such rules to preserve order at its meetings and to facilitate the management of township business:

The end promoted by rules of meeting procedure is the orderly transaction of business. Order is required so that all present enjoy equal opportunity to participate and that information is presented and received freely without interruption or interference. Order requires that no one present may disturb another or the meeting itself by causing noise, distracting movement or physical obstruction. (Citations omitted.)

1988 Op. Att’y Gen. No. 88-087 at 2-416. See generally Gen. H. Robert, *Robert’s Rules of Order, Newly Revised*, 15 (10th ed. 2000) (“[t]he term *rules of order* refers to written rules of parliamentary procedure formally adopted by an assembly or an organization. Such rules relate to the orderly transaction of business in meetings and to the duties of officers in that connection. The object of rules of order is to facilitate the smooth functioning of the assembly and to provide a firm basis for resolving questions of procedure that may arise”).

In accordance with this authority, a board of township trustees may adopt a rule that prescribes the amount of time allotted for public participation at its meetings or for a member of the public to speak during the public participation portion of the meeting. See generally *Hansen v. Westerville City School Dist.*, Case Nos. 93-3231 and 93-3303, 1994 U.S. App. LEXIS 31576, at *19; *Princeton Educ. Ass’n v. Princeton Bd. of Educ.*, 480 F. Supp. at 967. When a board of township trustees takes such action, the president of the board, as the presiding officer of the board, is responsible for enforcing the time limits established by the board. See generally Gen. H. Robert, *Robert’s Rules of Order, Newly Revised*, 21 (10th ed. 2000) (the presiding officer “conducts the meeting and sees that the rules are observed”); *id.* at 94 (“[s]ome bodies, especially public ones, may invite nonmembers to express their views, but this is done under the control of the presiding officer subject to any relevant rules adopted by the body and subject to appeal by a member. Often, by rule or practice, time limits are placed on speakers and relevance

⁷ R.C. 504.09 applies only to a board of township trustees that has adopted a limited home rule government under R.C. Chapter 504. R.C. 504.021; 2005 Op. Att’y Gen. No. 2005-042.

is closely monitored”); *id.* at 434 (the presiding officer at a meeting is required to “enforce the rules relating to debate and those relating to order and decorum”). The president of a board of township trustees, therefore, may enforce a limit on the amount of time allotted for public participation at a regular meeting of the board, including time limits for individual speakers, provided the president exercises such authority in accordance with the board’s rules for meeting procedure.⁸

Authority of the President of a Board of Township Trustees to Waive Time Limits for Speaking at Regular Meetings

The second part of your first question asks, if a board of township trustees or its president has established a limit on the amount of time allotted for public participation at a regular meeting of the board or for a member of the public to speak during the public participation portion of the meeting, whether the president may waive the time limits. No constitutional provision or statute establishes or regulates the amount of time that a person or the public may speak at a regular meeting of a board of township trustees. Instead, as discussed above, the ability of the public to participate at a regular meeting of a board of township trustees is subject to the board’s rules for meeting procedure and the actions taken by the person presiding over the meeting, in this case the board’s president. *See* R.C. 504.09; 1992 Op. Att’y Gen. No. 92-032 (syllabus, paragraph two); 1988 Op. Att’y Gen. No. 88-087 (syllabus, paragraph one); Gen. H. Robert, *Robert’s Rules of Order, Newly Revised*, 21, 94, 434 (10th ed. 2000).

In accordance with its rulemaking power, a board of township trustees may adopt a rule of meeting procedure that expressly authorizes its president to waive any applicable time limits at a regular meeting. *See* R.C. 504.09; 1992 Op. Att’y Gen. No. 92-032 (syllabus, paragraph

⁸ Any limit on the amount of time allotted for public participation at a regular meeting or for a member of the public to speak during the public participation portion of a regular meeting of a board of township trustees must be enforced by the board’s president in a manner that does not violate the constitutional rights of a member of the public. *See generally* 1992 Op. Att’y Gen. No. 92-032 at 2-124 (“if a public body chooses to provide for public participation in its meetings, such participation would generally be subject to first and fourteenth amendment protections”). For instance, a time limit may not be enforced so as to allow only select members of the public to speak during the meeting. *See generally* *City of Madison Joint School Dist. No. 8 v. Wisconsin Employment Relations Comm’n*, 429 U.S. 167, 175-76 (1976) (the First Amendment of the United States Constitution prohibits a governmental entity from selectively allowing certain portions of the public to participate while at the same time preventing others from participating); *Pesek v. City of Brunswick*, 794 F. Supp. 768, 783 (N.D. Ohio 1992) (“where the government has intentionally created a public forum out of an otherwise nonpublic forum by allowing certain members of the public to address it as to certain matters, it is a violation of the first amendment to selectively prohibit others from similarly addressing it as to the same matters based upon the content of their speech or their status in the community” (emphasis omitted)).

two); 1988 Op. Att’y Gen. No. 88-087 (syllabus, paragraph one). In the absence of such a board rule, the matter of waiving time limits is left to the fair and impartial discretion of the president of a board of township trustees since the president controls the meeting for the board. *See State ex rel. Hunt v. Hildebrant*, 93 Ohio St. 1, 112 N.E. 138 (syllabus, paragraph four); Gen. H. Robert, *Robert’s Rules of Order, Newly Revised*, 21, 94, 434 (10th ed. 2000); *cf.* 1992 Op. Att’y Gen. No. 92-032 at 2-123 (“[w]hile R.C. 121.22, thus, requires a public body to conduct its meetings in a public meeting place, whether a particular facility constitutes a public meeting place for purposes of R.C. 121.22 is a matter left to the fair and impartial discretion of the public body conducting the meeting, in this case the board of township trustees”). Thus, if the president of a board of township trustees determines that it is unnecessary to enforce time limits for public participation at a meeting, the president may waive the time limits. *See* Gen. H. Robert, *Robert’s Rules of Order, Newly Revised*, 21, 94, 434 (10th ed. 2000).

The authority of the president of a board of township trustees to waive time limits is not absolute. As stated earlier, the board’s president is required to conduct a meeting of the board in accordance with the board’s rules for meeting procedure. This means that the president of a board of township trustees may not violate the board’s rules for meeting procedure when exercising his discretion to waive time limits on public participation at a board meeting. For instance, if a board of township trustees has established a time limit for public participation at its regular meetings, the board’s president may not enforce a different time limit without the acquiescence of the board. *See* R.C. 504.09; 1992 Op. Att’y Gen. No. 92-032 (syllabus, paragraph two); 1988 Op. Att’y Gen. No. 88-087 (syllabus, paragraph one). Accordingly, the president of a board of township trustees may waive the limit on the amount of time allotted for public participation at a regular meeting of the board or for a member of the public to speak during the public participation portion of the meeting, provided the president exercises such authority in accordance with the board’s rules for meeting procedure.⁹

Authority of the President of a Board of Township Trustees to Limit Comments of Speakers at a Regular Meeting

Your second question asks whether the president of a board of township trustees may prohibit a member of the public from speaking at a regular meeting of the board about a matter that is not within the purview of the board’s legislative authority or that is unrelated to township government or an item on the meeting’s agenda. A public body, such as a board of township trustees, “has a significant interest in the orderly and efficient conduct of its business.” *Hansen v. Westerville City School Dist.*, Case Nos. 93-3231 and 93-3303, 1994 U.S. App. LEXIS 31576, at *33; *see Jones v. Heyman*, 888 F.2d 1328, 1333 (11th Cir. 1989); *Kalk v. Village of*

⁹ The president of a board of township trustees may not waive time limits for public participation at a meeting if such waiver would have the effect of violating the constitutional rights of another person at that meeting. *See* note eight, *supra* (time limits may not be enforced so as to allow only select persons to speak during a meeting).

Woodmere, 27 Ohio App. 3d at 148, 500 N.E.2d 384. To preserve this interest, a board of township trustees may adopt a rule of meeting procedure that explicitly authorizes its president to limit the topics that a speaker may discuss at a regular meeting. See R.C. 504.09; 1992 Op. Att’y Gen. No. 92-032 (syllabus, paragraph two); 1988 Op. Att’y Gen. No. 88-087 (syllabus, paragraph one); see also *City of Madison Joint School Dist. No. 8 v. Wisconsin Employment Relations Comm’n*, 429 U.S. 167, 175 n.8 (1976); *Princeton Educ. Ass’n v. Princeton Bd. of Educ.*, 480 F. Supp. at 968-69.

Moreover, as discussed previously, the president of a board of township trustees is responsible for controlling a regular meeting for the board. In this capacity, the board’s president is required to expedite the business of the board and protect the board from frivolous or dilatory conduct by a speaker that keeps the board from conducting its business efficiently. See *Jones v. Heyman*, 888 F.2d at 1333; Gen. H. Robert, *Robert’s Rules of Order, Newly Revised*, 433-34 (10th ed. 2000). Thus, if the president of a board of township trustees determines that a speaker’s comments are not contributing to the orderly and efficient conduct of township business because the comments are not germane to that business, the president may prohibit the speaker from continuing unless the speaker addresses a topic that is related to township business under consideration at that meeting. See generally 1928 Op. Att’y Gen. No. 2955, vol. IV, p. 2736, at 2740 (“[t]he delegation of a power to accomplish a certain end, necessarily carries with it the power to do all things necessary to consummate that purpose”); Gen. H. Robert, *Robert’s Rules of Order, Newly Revised*, 94 (10th ed. 2000) (the right of members of the public to express their views is done under the control of the presiding officer and “[o]ften, by rule or practice, ... relevance is closely monitored”).

The president of a board of township trustees is, however, as mentioned previously, required to follow any relevant rules adopted by the board for meeting procedure when presiding over a board’s meeting. Hence, any exercise of discretion by the president of a board of township trustees in regulating the topics on which a person may speak at a regular meeting must be done in accordance with the board’s rules for meeting procedure, if any. Therefore, in response to your second question, the president of a board of township trustees may prohibit a member of the public from speaking at a regular meeting of the board about a matter that is not within the purview of the board’s legislative authority or that is unrelated to township government or an item on the meeting’s agenda, provided the president exercises such authority in accordance with the board’s rules for meeting procedure.¹⁰

¹⁰ The president of a board of township trustees may not take any action violative of the constitutional rights of a person when regulating the topics upon which the person may speak at a regular meeting of the board. See note eight, *supra*.

Authority of a Board of Township Trustees to Curtail Public Participation at a Regular Meeting

Your third question asks whether a board of township trustees may curtail public participation at a regular meeting and request members of the public to speak at the board's next regular meeting or submit correspondence to the board when time constraints or exigent circumstances require such action by the board. As stated previously, a board of township trustees has an inherent right to attend to township business in an orderly and efficient manner. *See Hansen v. Westerville City School Dist.*, Case Nos. 93-3231 and 93-3303, 1994 U.S. App. LEXIS 31576, at *33; *Jones v. Heyman*, 888 F.2d at 1333; *Kalk v. Village of Woodmere*, 27 Ohio App. 3d at 148; 500 N.E.2d 384. In order to do this, a board of township trustees may exercise its discretion in organizing and conducting its meetings. *See generally State ex rel. Kahle v. Rupert*, 99 Ohio St. 17, 19, 122 N.E. 39 (1918) (“[e]very officer of this state or any subdivision thereof not only has the authority but is required to exercise an intelligent discretion in the performance of his official duty”).

Accordingly, if a matter arises that requires the immediate attention of a board of township trustees, the board may exercise its discretion to adjust the proceedings or agenda of a regular meeting for the purpose of addressing the matter. This may include curtailing a portion of the public participation segment of the meeting. Similarly, if the amount of time allotted for public participation at a meeting is not sufficient to accommodate all of the persons who wish to address the board at the meeting, it is reasonable for the board to request that persons who are unable to speak at the meeting return and speak at the board's next meeting or submit correspondence to the board. Thus, when a board of township trustees deems it necessary because of time constraints or exigent circumstances, the board may curtail public participation at a regular meeting and request members of the public to speak at the board's next regular meeting or submit correspondence to the board.¹¹

¹¹ Any action take by a board of township trustees to curtail public participation at its regular meetings may not violate the constitutional rights of a member of the public. *See generally* note eight, *supra*.

Approval of the Minutes of a Regular Meeting by a Board of Township Trustees

Your fourth question asks whether a township trustee may vote to approve the minutes¹² of a regular meeting of the board of township trustees when the trustee was absent from the meeting. No statute in the Revised Code requires a board of township trustees to approve the minutes of its meetings. *Cf.* R.C. 305.11 (“[i]mmediately upon the opening of each day’s session of the board of county commissioners, the records of the proceedings of the session of the previous day shall be read, or provided to each commissioner in written form, by the clerk of the board and, if correct, approved and signed by the commissioners”). The approval of meeting minutes is, however, recognized by courts and under generally accepted rules of parliamentary procedure. *See, e.g., City of Girard v. Rodomsky*, Case No. 97-T-0107, 1998 Ohio App. LEXIS 6359, at *14-15 (Trumbull County Dec. 31, 1998) (“an administrative board’s decision becomes a final order only after it has been journalized on the board’s record. Furthermore, a board’s decision is deemed ‘journalized’ once the board’s minutes are put in written form, subsequently approved, and filed” (citations omitted)); *Davidson v. Village of Hanging Rock*, 97 Ohio App. 3d 723, 733, 647 N.E.2d 527 (Lawrence County 1994) (“[a]lthough R.C. 121.22(C) provides that public bodies must promptly record their minutes and open them to public inspection, the statute does not provide that if the minutes are not properly approved, the actions recorded in the minutes are void”); *Sea Lakes, Inc. v. Lipstreu*, Case No. 91-P-2391, 1992 Ohio App. LEXIS 4787, at *8 (Portage County Sept. 18, 1992) (an “administrative board only speaks through its journalized minutes. Until the board’s minutes are approved and journalized, they are subject to change and, therefore, are not final”); Gen. H. Robert, *Robert’s Rules of Order, Newly Revised*, 343 (10th ed. 2000) (setting forth procedures for reading and approving meeting minutes).

The minutes of a meeting may be approved either formally or informally. As explained in Gen. H. Robert, *Robert’s Rules of Order, Newly Revised*, 343 (10th ed. 2000), the approval of meeting minutes may occur as follows:

After the presiding officer has called the meeting to order ... and after any customary opening ceremonies ..., the meeting proceeds through the different headings in the order of business:

1. *Reading and Approval of Minutes.* The chair says, “The Secretary will read the minutes.” In all but the smallest meetings, the minutes are read by the

¹² The minutes of a regular meeting of a board of township trustees constitute a “record of the proceedings” of the board at the meeting. Gen. H. Robert, *Robert’s Rules of Order, Newly Revised*, 451 (10th ed. 2000); *see Davidson v. Village of Hanging Rock*, 97 Ohio App. 3d 723, 733, 647 N.E.2d 527 (Lawrence County 1994). Under R.C. 504.09 and R.C. 507.04, the township fiscal officer or a person designated by the board of township trustees is required to prepare and maintain the minutes of board meetings. *See generally* R.C. 121.22(C) (“[t]he minutes of a regular or special meeting of any public body shall be promptly prepared, filed, and maintained and shall be open to public inspection”).

secretary standing. In organizations where copies of the minutes of each previous meeting as prepared by the secretary are sent to all members in advance, the actual reading of them aloud may be waived if no member objects. In either case, the chair then asks, "Are there any corrections to the minutes?" and pauses. Corrections, when proposed, are usually handled by unanimous consent.... It is generally smoother to do the approval of minutes also by unanimous consent, although a formal motion to approve them is not out of order. Such a motion is normally unnecessary unless, for example, there has been a dispute over the accuracy or propriety of something in the minutes. Whether or not a motion for approval has been offered, the chair may simply say, "If there are no corrections [or "no further corrections"], the minutes stand [or "are"] approved [or "approved as read," or "approved as corrected"]."

Thus, neither the Revised Code nor generally accepted rules of parliamentary procedure require a board of township trustees to conduct a vote to approve the minutes of a regular meeting.

Nevertheless, a board of township trustees may adopt reasonable rules for the conduct of its meetings. *See* R.C. 504.09; 1992 Op. Att'y Gen. No. 92-032 (syllabus, paragraph two); 1988 Op. Att'y Gen. No. 88-087 (syllabus, paragraph one). In light of this rule-making authority, a board of township trustees may adopt a rule requiring the board to conduct a vote to approve the minutes of its regular meetings. In addition, a board of township trustees may be required by a formal motion of a township trustee to conduct a vote to approve the minutes of a regular meeting. *See* Gen. H. Robert, *Robert's Rules of Order, Newly Revised*, 343 (10th ed. 2000).

When a board of township trustees conducts a vote, the president of the board is required to conduct the vote in accordance with the board's rules for meeting procedure. *See* 1990 Op. Att'y Gen. No. 90-028 at 2-105 and 2-106; Gen. H. Robert, *Robert's Rules of Order, Newly Revised*, 21, 434 (10th ed. 2000). The enforcement of such rules ensures that township business is done in an orderly manner. 1988 Op. Att'y Gen. No. 88-087 at 2-416; Gen. H. Robert, *Robert's Rules of Order, Newly Revised*, 15 (10th ed. 2000). Thus, any vote to approve the minutes of a regular meeting of a board of township trustees must be conducted in accordance with the board's rules for meeting procedure.

As part of its rules for meeting procedure, a board of township trustees may adopt a rule that delineates the procedures for conducting votes to approve the minutes of its regular meetings. Such a rule should signify the purpose to be served by having the board approve the minutes. The board may decide that its vote to approve meeting minutes is intended to confirm that minutes of the meeting in question were, in fact, taken and prepared by the township fiscal officer. If that is what the board determines to be the purpose behind the minutes' approval, then it may be appropriate for the board to permit one of its members to join in the vote to approve the minutes, even though he was absent from the meeting to which those minutes pertain. *See generally Davidson v. Village of Hanging Rock*, 97 Ohio App. 3d at 733, 647 N.E.2d 527 (R.C. 121.22(C)), which requires meeting minutes of a public body to be prepared and filed, "does not provide that if the minutes are not properly approved, the actions recorded in the minutes are

void. Minutes serve as records of actions, not as actions themselves”); 1941 Op. Att’y Gen. No. 3509, p. 105, at 107 (“the attestation of the minutes, by the affixation of the signatures, is more a requirement to insure correct records of the official action than a step in the official proceedings”).

On the other hand, the board may decide that approval of the minutes of its regular meetings is meant to verify that the minutes accurately and truthfully record all the events that occurred at a particular meeting (*e.g.*, motions that were made and the results of votes on those motions by the board of township trustees), or faithfully summarize all the statements that were made by the township trustees or other persons in attendance at that meeting. If that is the purpose that is to be served by the minutes’ approval, then the board may further determine that a trustee who was not present at a particular meeting may not cast a vote for the purpose of approving those minutes. *See generally* R.C. 504.09 (a board of township trustees of a township that has adopted a limited home rule government pursuant to R.C. Chapter 504 “shall determine its own rules and order of business”); 1992 Op. Att’y Gen. No. 92-032 (syllabus, paragraph two) (a board of township trustees may adopt reasonable rules for the conduct of its meetings); 1988 Op. Att’y Gen. No. 88-087 (syllabus, paragraph one) (same as the previous parenthetical).

Accordingly, in response to your fourth question, we conclude that, neither the Revised Code nor generally accepted rules of parliamentary procedure require a board of township trustees to conduct a vote to approve the minutes of its regular meetings. A board of township trustees may be required by a formal motion of a trustee or the board’s rules for meeting procedure to conduct a vote to approve the minutes of a regular meeting. When a board of township trustees is required to conduct a vote to approve the minutes of a regular meeting, the vote must be conducted in accordance with the board’s rules for meeting procedure. A board of township trustees’ rules for meeting procedure should state whether a township trustee may vote to approve the minutes of a regular meeting of the board of township trustees when the trustee was absent from the meeting.

Authority of a Board of Township Trustees under R.C. 505.09

Your fifth question asks whether the word “constable,” as used in R.C. 505.09, may be fairly read to include a county deputy sheriff appointed under R.C. 311.04. R.C. 505.09, which empowers a board of township trustees to have disorderly persons removed from its meetings, states, as follows:

The board of township trustees, at any election or township meeting may cause any disorderly person to be removed from such place of election or meeting, and, if necessary, to be confined until the close of the election or meeting. *Constables shall obey the orders and directions of the board for the purpose of preserving order at such election or meeting.* (Emphasis added.)

Under this statute, a board of township trustees is authorized to command a “constable” to attend a regular meeting of the board for the purpose of preserving order at the meeting. While no statute defines the term “constable,” for purposes of R.C. 505.09, “[i]t is a general

axiom of statutory construction that once words have acquired a settled meaning, that same meaning will be applied to a subsequent statute on a similar or analogous subject.” *Brennaman v. R.M.I. Co.*, 70 Ohio St. 3d 460, 464, 639 N.E.2d 425 (1994); *accord* R.C. 1.42.

In the context of R.C. Title 5 (townships), the word “constable” has acquired a particular meaning. The word refers to a person designated a police constable by a board of township trustees under R.C. 509.01, which provides, in part, as follows:

Subject to division (C) of this section,¹³ the board of township trustees may designate any qualified persons as police constables and may provide them with the automobiles, communication systems, uniforms, and police equipment that the board considers necessary. Except as provided in division (C) of this section,¹⁴ police constables designated under this division, who have been awarded a certificate attesting to the satisfactory completion of an approved state, county, or municipal police basic training program, as required by [R.C. 109.77], may be removed or suspended only under the conditions and by the procedures in [R.C. 505.491-495]. Any other police constable shall serve at the pleasure of the township trustees.... The board may pay each police constable, from the general funds of the township, the compensation that the board by resolution prescribes for the time actually spent in keeping the peace, protecting property, and performing duties as a police constable, including duties as an ex officio deputy bailiff of a municipal court pursuant to [R.C. 1901.32] and duties as a ministerial officer of a county court. (Footnotes added.)

R.C. 509.01 thus authorizes a board of township trustees to appoint and compensate police constables to serve as law enforcement officers for the township. *See generally* R.C. 509.05 (the duties of a constable include, *inter alia*, apprehending and bringing to justice felons and disturbers of the peace, suppressing riots, and keeping and preserving the peace within the county); R.C. 509.10 (same as previous parenthetical); R.C. 2901.01(A)(11)(a) (for purposes of the Revised Code, a constable is a law enforcement officer).

When referring in statutes to the duties, powers, and responsibilities of a police constable appointed under R.C. 509.01, the General Assembly frequently refers to this position as

¹³ R.C. 509.01(C)(1) prohibits a board of township trustees from designating a person a police constable when the person previously has been convicted of, or has pleaded guilty to, a felony. *But see generally* R.C. 509.01(C)(3) (R.C. 509.01(C) “does not apply regarding an offense that was committed prior to January 1, 1997”).

¹⁴ R.C. 509.01(C)(2) sets forth circumstances under which a board of township trustees is required to remove or suspend a police constable awarded a certificate attesting to the satisfactory completion of an approved state, county, or municipal police basic training program under R.C. 109.77.

“constable.” *See, e.g.*, R.C. 509.02 (“[e]ach constable, before entering upon the discharge of official duties, shall give bond ... conditioned for the faithful and diligent discharge of official duties”); R.C. 509.05 (“constables shall be ministerial officers of the county court in all cases in their respective townships”); R.C. 509.06 (“[c]onstables ... in discharging their duties, may call the sheriff or a deputy sheriff to their aid in state cases”); R.C. 509.08 (“[e]ach constable, on the receipt of any writ or other process, except subpoenas, shall note thereon the time of receiving it”); R.C. 509.09 (“[n]o constable shall make a return on any process of ‘not found,’ as to any defendant, unless he has been to the usual place of residence of the defendant at least once, if such defendant has a residence in the county”); R.C. 509.10 (“[e]ach constable shall apprehend, on view or warrant, and bring to justice, all felons, disturbers, and violators of the criminal laws of this state, and shall suppress all riots, affrays, and unlawful assemblies which come to his knowledge, and shall generally keep the peace in his township”); R.C. 509.11 (“[w]hen it becomes the duty of the constable to take a person to the county jail, such constable shall deliver to the sheriff or jailer a certified copy of the execution, commitment, or other process, whereby he holds such person in custody, and shall return the original to the judge who issued it”); R.C. 509.12 (“[a] constable shall pay over to the party entitled thereto, all moneys received by such constable in his official capacity, if demand is made by such party, his agent, or attorney, at any time before the constable returns the writ upon which he has received such moneys”). Hence, it appears that the general meaning of the term “constable,” as used in R.C. 505.09, is a police constable appointed by a board of township trustees under R.C. 509.01.

This contention finds significant support in the fact that in the Revised Code the General Assembly has repeatedly used within the same statute the term, “constable,” to refer to persons appointed under R.C. 509.01 and the term, “deputy sheriff,” to refer to persons appointed under R.C. 311.04. *See, e.g.*, R.C. 109.71(A)(1); R.C. 145.01; R.C. 311.31(F)(2); R.C. 505.172(A); R.C. 505.67(F)(2); R.C. 509.06; R.C. 737.40(F)(2); R.C. 1519.04; R.C. 1531.13; R.C. 1531.16; R.C. 1533.14; R.C. 1533.17(C); R.C. 1533.34; R.C. 1533.89; R.C. 1547.63; R.C. 1907.18(A)(4); R.C. 1907.29(C); R.C. 1907.53(B)(1); R.C. 2151.14(B); R.C. 2151.3515(I); R.C. 2901.01(A)(11)(a); R.C. 2915.01(Y); R.C. 2921.51(A)(1); R.C. 2935.01(B); R.C. 2935.03; R.C. 2935.031; R.C. 3345.022; R.C. 3767.32(E); R.C. 3937.41(A)(4); R.C. 4117.01(N); R.C. 4123.03; R.C. 5139.18(C); R.C. 5139.191. Such usage of the terms constable and deputy sheriff throughout the Revised Code indicates that the General Assembly attributes a unique and exclusive meaning to the terms constable and deputy sheriff, respectively. *See generally Inglis v. Pontius*, 102 Ohio St. 140, 149, 131 N.E. 509 (1921) (“[i]t will be presumed that the general assembly had some purpose in mind in using both words instead of only one, and unless the words are inconsistent or contradictory it is the duty of the courts to give effect to both words”). It further illustrates that the General Assembly does not use the word constable to refer to a deputy sheriff appointed under R.C. 311.04 or the word deputy sheriff to refer to a constable appointed under R.C. 509.01.

Nothing in R.C. 505.09 suggests that the General Assembly intended to give the term constable a meaning other than its ordinary meaning as used in the Revised Code. The General Assembly’s use of the word “constable” in R.C. 505.09 thus was intended to refer to a person designated as a police constable by a board of township trustees under R.C. 509.01. If the

General Assembly had intended for the provisions of R.C. 505.09 to apply to a county deputy sheriff, “it would not have been difficult to find language which would express that purpose,” having used that language in other connections. *Lake Shore Elec. Ry. Co. v. P.U.C.O.*, 115 Ohio St. 311, 319, 154 N.E. 239 (1926); *see, e.g.*, R.C. 1907.53(B)(1) (“[i]n a county court district in which no bailiff is appointed . . . every deputy sheriff of the county . . . and every police constable of a township within the county court district is ex officio a bailiff of the court in and for the county . . . or township within which the deputy sheriff . . . or police constable is commissioned and shall perform, in respect to cases within that jurisdiction and without additional compensation, any duties that are required by a judge of the court or by the clerk of the court”). Accordingly, the word “constable,” as used in R.C. 505.09, refers to a police constable appointed under R.C. 509.01 and may not reasonably be read as referring to a county deputy sheriff appointed under R.C. 311.04.

Requirement that a Board of Township Trustees Prepare and Distribute a Written Agenda for a Regular Meeting

Your final question asks whether a board of township trustees is required to prepare and distribute to the public or media a written agenda for a regular meeting. No provision in the Revised Code mandates that a board of township trustees prepare a written agenda for its regular meetings. In addition, it appears that such an obligation may not be inferred from the language of any statute. To the contrary, R.C. 121.22(F), which provides when a board of township trustees is required to provide notice of the purpose of a meeting, suggests otherwise.

As stated above, R.C. 121.22(F) requires a board of township trustees to establish by rule a reasonable method by which to notify the public of the time and place of all its regular meetings and the time, place, and purpose of all its special meetings. The board’s rule must also set forth provisions for providing a person with reasonable advance notification of all regular and special meetings at which a specific type of public business is to be discussed when the person requests and pays a reasonable fee for such notification. R.C. 121.22(F).¹⁵

¹⁵ R.C. 121.22(F) provides, as follows:

Every public body, by rule, shall establish a reasonable method whereby any person may determine the time and place of all regularly scheduled meetings and the time, place, and purpose of all special meetings. A public body shall not hold a special meeting unless it gives at least twenty-four hours’ advance notice to the news media that have requested notification, except in the event of an emergency requiring immediate official action. In the event of an emergency, the member or members calling the meeting shall notify the news media that have requested notification immediately of the time, place, and purpose of the meeting.

The rule shall provide that any person, upon request and payment of a reasonable fee, may obtain reasonable advance notification of all meetings at

The notification requirements set forth in R.C. 121.22(F) are different for regular and special meetings. For a regular meeting, a board of township trustees must establish, by rule, “a reasonable method whereby any person may determine the *time and place*” of a regular meeting. R.C. 121.22(F) (emphasis added). Only the time and place of a regular meeting is necessary because the essence of a regular meeting is that it is held according to a predictable schedule and addresses whatever business is before the board at that time. *See* 1988 Op. Att’y Gen. No. 88-029 at 2-122.

In contrast, a special meeting may be called at any time and for any reason. *See id.* The occurrence of a special meeting is dependent upon the circumstances necessitating the calling of the meeting. Because of the unexpected occurrence of a special meeting, a board of township trustees is required to not only give the time and place of the meeting, but the purpose of the meeting. R.C. 121.22(F).

The difference in the notification requirements for regular and special meetings clearly indicates that a board of township trustees is only required to notify the public of the purpose of a special meeting. Unlike the provisions governing a special meeting, there is no provision in R.C. 121.22 requiring a board to state in its notice of a regular meeting the purpose of the meeting.¹⁶ *See generally Jones v. Brookfield Twp. Trustees*, Case No. 92-T-4692, 1995 Ohio App. LEXIS 2805, at *17-18 (Trumbull County June 30, 1995) (“in giving notice of a general meeting, a public body is not required to state the meeting’s purpose. This distinction is obviously predicated upon the fact that such a meeting is not being held for any specific reason, but instead is being held because it is a regularly scheduled meeting. In contrast, the use of [t]he term ‘special meeting’ implies that such a meeting can only be held where there are specific reasons for holding it. Given the existence of such a reason, it follows that the notice of a special meeting must refer to those specific reasons”).

A meeting agenda is “a list or outline of things to be considered or done” at the meeting. *Merriam-Webster’s Collegiate Dictionary* 24 (11th ed. 2005). In other words, a meeting agenda sets forth the purpose of the meeting. Since neither R.C. 121.22(F) nor any other statute requires

which any specific type of public business is to be discussed. Provisions for advance notification may include, but are not limited to, mailing the agenda of meetings to all subscribers on a mailing list or mailing notices in self-addressed, stamped envelopes provided by the person.

¹⁶ As mentioned in the text above, R.C. 121.22(F) states that, where a person requests and pays a reasonable fee, the rule establishing a board of township trustees’ meeting notification procedures must provide for the “reasonable advance notification of all meetings at which any specific type of public business is to be discussed.” Hence, although a board of township trustees is not required by statute to state in its notice of a regular meeting the purpose of the meeting, the board is required to notify a person who requests and pays for notification that a specific type of business is to be discussed and taken up by the board at a regular meeting.

a board of township trustees to inform the public as to the purpose of a regular meeting, it follows that the board is not required by statute to provide the public or media with a written agenda for a regular meeting.¹⁷ Accordingly, a board of township trustees is not required by statute to prepare and distribute to the public or media a written agenda for a regular meeting.

Conclusions

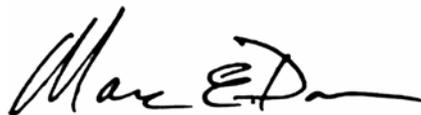
In conclusion, it is my opinion, and you are hereby advised as follows:

1. The president of a board of township trustees may enforce a limit on the amount of time allotted for public participation at a regular meeting of the board, including time limits for individual speakers, provided the president exercises such authority in accordance with the board's rules for meeting procedure.
2. The president of a board of township trustees may waive the limit on the amount of time allotted for public participation at a regular meeting of the board or for a member of the public to speak during the public participation portion of the meeting, provided the president exercises such authority in accordance with the board's rules for meeting procedure.
3. The president of a board of township trustees may prohibit a member of the public from speaking at a regular meeting of the board about a matter that is not within the purview of the board's legislative authority or that is unrelated to township government or an item on the meeting's agenda, provided the president exercises such authority in accordance with the board's rules for meeting procedure.

¹⁷ A board of township trustees' rules for meeting procedure may require the board to prepare and distribute to the public or media a written agenda for its regular meetings. *See* R.C. 504.09; 1992 Op. Att'y Gen. No. 92-032 (syllabus, paragraph two); 1988 Op. Att'y Gen. No. 88-087 (syllabus, paragraph one). Also, while the Revised Code and the board's rules may not require the board to prepare and distribute a written agenda for its regular meetings, in order to conduct orderly and efficient meetings, it may behoove the board to do so. *See generally State ex rel. Corrigan v. Seminatore*, 66 Ohio St. 2d 459, 470, 423 N.E.2d 105 (1981) ("it is within the implied power of a public agency to disseminate information both to those who are directly affected by its operation and the general public. Such a function may be fairly implied where it is reasonably related to the duties of the public agency"). By doing this, the board informs the public and media of the specific issues and topics that are to be addressed by the board at the meeting, and provides a foundation for a subsequent determination by the board's president that a member of the public is speaking about a matter that is not on the board's meeting agenda.

4. When a board of township trustees deems it necessary because of time constraints or exigent circumstances, the board may curtail public participation at a regular meeting and request members of the public to speak at the board's next regular meeting or submit correspondence to the board.
5. Neither the Revised Code nor generally accepted rules of parliamentary procedure require a board of township trustees to conduct a vote to approve the minutes of its regular meetings. A board of township trustees may be required by a formal motion of a trustee or the board's rules for meeting procedure to conduct a vote to approve the minutes of a regular meeting. When a board of township trustees is required to conduct a vote to approve the minutes of a regular meeting, the vote must be conducted in accordance with the board's rules for meeting procedure. A board of township trustees' rules for meeting procedure should state whether a township trustee may vote to approve the minutes of a regular meeting of the board of township trustees when the trustee was absent from the meeting.
6. The word "constable," as used in R.C. 505.09, refers to a police constable appointed under R.C. 509.01 and may not reasonably be read as referring to a county deputy sheriff appointed under R.C. 311.04.
7. A board of township trustees is not required by statute to prepare and distribute to the public or media a written agenda for a regular meeting.

Respectfully,

A handwritten signature in black ink, appearing to read "Marc Dann". The signature is fluid and cursive, with a prominent initial "M" and a long, sweeping underline.

MARC DANN
Attorney General