



Ohio Administrative Code

Rule 151-1-01 Notification of meetings to the public and news media.

Effective: May 10, 2019

(A) This Ohio public facilities commission has adopted this rule, pursuant to and in compliance with division (F) of section 121.22 of the Revised Code, for the purposes of establishing a reasonable method for any person to determine the time and place of all regularly scheduled meetings, and the time, place and purpose of all special meetings, making provisions for giving advance notice of all special meetings to the news media that have requested notification, and making provisions for persons to request and obtain reasonable advance notification of all meetings at which any specific type of public business is to be discussed. This rule is in addition to any applicable legal requirements as to notices to members of the commission and to designees, pursuant to section 151.02 of the Revised Code, of such members.

(B) As used in this rule the following terms have the indicated meanings:

(1) "Day" means calendar day.

(2) "Meeting" means any prearranged discussion of the public business of the commission by four or more members, or by any duly appointed committee of the commission at which meeting a majority of the members of the committee are present.

(3) "Member" means member of the commission or a designee of a member of the commission acting pursuant to section 151.02 of the Revised Code and the commission bylaws.

(4) "Oral notification" means notification given orally either in person or by telephone, directly to the person for whom such notification is intended, or by leaving an oral message for such person at the address, or if by telephone at the telephone number, of such person shown on the records kept by the secretary under this rule.

(5) "Post" means to post in an area accessible to the public during the usual business hours at the office of the secretary ("Rhodes State Office Tower, 30 East Broad Street, 34th floor, Columbus,



Ohio"), and to deliver to the clerk of the "Statehouse pressroom, Capitol Building, Columbus, Ohio." The secretary may also post items on the commissions page on the office of budget and management website.

(6) "Published" means published once in a newspaper having a general circulation in the city of Columbus, as defined in section 7.12 of the Revised Code, except that no portion of such newspaper need be printed in that city. If at the time of any such publication there is no such newspaper of general circulation, then such publication shall be in a newspaper then determined by the secretary to have the largest circulation in that city.

(7) "Secretary" means the secretary of the commission, being the director of budget and management, or the assistant secretary appointed by the commission.

(8) "Special meeting" means a meeting which is neither a regular meeting nor an adjournment of a regular or special meeting to another time or day to consider items specifically stated on the original agenda of such regular or special meeting.

(9) "Written notification" means notification in writing mailed, faxed, emailed or delivered to the address of the person for whom such notification is intended as shown on the records kept by the secretary under this rule, or in any way delivered to such person. If mailed, such notification shall be mailed by first-class mail, deposited in a U.S. postal service mailbox no later than the fourth day preceding the day of the meeting to which such notification refers.

(C) Any person may determine the time and place of all then known regular meetings, the time, place, and purposes of all then known special meetings, and whether the available agenda of any future meeting states that any specific type of public business, identified by such person, is to be discussed at such meeting, by:

(1) Writing to: "Secretary, Ohio Public Facilities Commission, c/o Director of Budget and Management, Rhodes State Office Tower 30 East Broad Street, 34th floor Columbus, Ohio 43266-0411."

(2) Telephoning the office of budget and management, during its normal business hours, at 614-466-



4034 or 614-752-2577.

(3) Consulting the bulletin board located in the public reception area at the office of budget and management, "Rhodes State Office Tower, 30 East Broad Street, 34th floor, Columbus, Ohio, or consulting the clerk of the Statehouse pressroom, Capitol Building, Columbus, Ohio."

(4) Consulting the commissions page on the office of budget and management website.

(D) The secretary shall post a statement of the times and places of then known regular meetings not later than the second day preceding the day of each regular meeting. If at any time the time or place of any regular meeting is changed, a statement of the time and place of such changed regular meeting shall be so posted by the secretary at least twenty-four hours before the time of such changed regular meeting.

(E) Upon the adjournment of any regular or special meeting to another day, the secretary shall promptly post notice of the time and place of such adjourned meeting.

(F) Except in the case of a special meeting referred to in paragraph (I)(5) of this rule, the secretary shall, no later than twenty-four hours before the time of a special meeting, post a statement of the time, place and purposes of such special meeting. In the case of a special meeting as referred to in paragraph (I)(5) of this rule, the secretary shall immediately post a statement of the time, place and purposes of such special meeting.

(G) The statement under paragraph (F) of this rule and the notifications under paragraph (I) of this rule shall state such specific or general purpose or purposes then known to the secretary to be intended to be considered at such special meeting and may state, as an additional general purpose, that any other business as may properly come before the commission or its committee at such meeting may be considered and acted upon.

(H) In addition to or in lieu of the posting of the statement as provided in paragraphs (D), (E) and (F) of this rule, the secretary may cause to be published once, no later than twelve hours prior to the time of the meeting referred to, a statement of the time and place of such regular meeting or the time, place and purposes of such special meeting.



(I) Any news media organization that desires to be given advance notification of special meetings shall file with the secretary a written request therefor. The secretary shall maintain a current list of all news media that have requested such advance notification.

(1) Except in the event of an emergency requiring immediate official action as referred to in paragraph (I)(5) of this rule, a special meeting shall not be held unless at least twenty-four hours advance notice of the time, place and purposes of such special meeting is given to the news media that have requested such advance notification in accordance with paragraph (I)(2) of this rule.

(2) News media requests for such advance notification of special meetings shall specify: the name of the medium; the name and address (and, if applicable, the facsimile (FAX) number or email address) of the person to whom written notifications to the medium may be mailed, faxed, emailed or otherwise delivered; and the names, addresses and telephone numbers (including addresses and telephone numbers and, if applicable, the facsimile (FAX) number or email address at or to which notifications may be given either during or outside of business hours) of at least two persons to either one of whom oral notifications to be medium may be given.

(3) Any such request shall be effective for one year from the date of the filing with the secretary or until the secretary receives written notice from such medium cancelling or modifying such request, whichever is earlier. Each requesting news medium shall be informed of such period of effectiveness at the time it files its request. Such requests may be modified or extended only by filing a complete new request with the secretary. A request shall not be deemed to be made unless it is complete in all respects, and such request may be conclusively relied on by the commission and the secretary.

(4) The secretary shall give such oral notification or written notification, or both, as the secretary determines, to the news media that have requested such advance notification in accordance with paragraph (I)(2) of this rule, of the time, place and purposes of each special meeting, at least twenty-four hours prior to the time of such special meeting.

(5) In the event of an emergency requiring immediate official action, a special meeting may be held without giving twenty-four hours advance notification thereof to the requesting news media. The persons calling such meeting, or any one or more persons or the secretary on their behalf, shall



immediately give oral or written (including by facsimile (FAX) or email) notification, or both, as the person or persons giving such notification determine, of the time, place and purposes of such special meeting to such news media that have requested such advance notification in accordance with paragraph (I)(2) of this rule. The minutes or the call, or both, of any such special meeting shall state the general nature of the emergency requiring immediate official action.

(J) Any person, upon written request and as provided herein, may obtain reasonable advance notification of all meetings at which any specific type of public business is scheduled to be discussed.

(1) Such person may file a written request with the secretary specifying: the person's name, and the address(es) and telephone number(s) (including, if applicable, the facsimile (FAX) number or email address) at or through which the person can be reached during and outside of business hours; the specific type of public business the discussion of which the person is requesting advance notification; and the number of calendar months (not to exceed twelve) which the request covers. Such request may be cancelled by request from such person to the secretary.

(2) Each such written request under paragraph (J)(1) of this rule requesting written notification by first class mail shall be accompanied by stamped self-addressed envelopes sufficient in number to cover the number of meetings during the time period covered by the request. The secretary shall notify in writing the requesting person when the supply of envelopes is running out; if the person desires notification after such supply has run out, such person must deliver to the secretary an additional reasonable number of stamped self-addressed envelopes as a condition to receiving further notifications.

(3) There shall be no fee charged for such notification.

(4) Such requests may be modified or extended only by filing a complete new request with the secretary. A request shall not be deemed to be made unless it is complete in all respects, and such request may conclusively be relied on by the commission and the secretary.

(5) The secretary shall maintain a current list of all persons who have requested notification under paragraph (J) of this rule. The secretary shall if possible give such advance notification under



paragraph (J) of this rule by written notification. If such written notification cannot be given or has not been given, the secretary shall give oral notification.

(6) Written notification of commission meetings under paragraph (J)(5) of this rule may be accomplished by giving advance written notification by copies of the agendas of those meetings of the commission.

(K) Any notification or action provided herein to be given or taken by the secretary may be given or taken by any other person acting in behalf of or under the authority of the secretary.

(L) A reasonable effort at notification shall constitute notification in compliance with this rule.

(M) At the commencement of each meeting, the secretary, or any member, shall submit a certificate of the secretary as to compliance with this rule as to notice and notification. Such certificate shall be conclusive upon the commission (and, if applicable, its committee) as to the facts set forth in it, and shall be conclusive evidence as to the facts set forth therein upon which all persons can rely that this rule has been complied with.