



## Ohio Administrative Code Rule 3750-10-03 General management rules.

Effective: September 1, 1998

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(A) The commission shall meet at least annually. Except as provided in section 121.22 of the Revised Code, or otherwise in the Revised Code, all meetings of the commission or any of its committees shall be open to the public. Meetings of the executive committee, when determining whether to issue an enforcement order or to request a civil action, civil penalty action or criminal action to enforce Chapter 3750. of the Revised Code or an issue that meets a condition of paragraph (B) of this rule shall ordinarily be held in private unless there is a majority vote of the full membership of the commission or a majority vote of the executive committee in favor of a public meeting.

(B) The membership of the commission may hold an executive session only at a regular or special meeting of the commission for the sole purpose of considering matters enumerated in division (G) of section 121.22 of the Revised Code. If the executive committee is to determine matters enumerated under division (G) of section 121.22 of the Revised Code, the motion and vote to hold the session shall set forth which one or more of the approved matters listed in that division which are to be considered. Prior to holding an executive session at a regular or special meeting, the presiding co-chairperson of the commission shall state the commission is going to meet in executive session and state generally the purpose of the meeting and the purpose for holding an executive session as delineated in division (G) of section 121.22 of the Revised Code. The commission may hear the following matters in executive session:

- (1) The appointment, employment, dismissal, discipline, promotion, demotion, or compensation of public employee or official, or the investigation of charges or complaints against a public employee, official, licensee, or regulated individual pursuant to division (G)(1) of section 121.22 of the Revised Code, unless the public employee, official licensee, or regulated individual requests a public hearing;
- (2) To consider the purchase or sale of property as set forth in division (G)(2) of section 121.22 of the Revised Code;



(3) Conferences with an attorney for the commission concerning disputes involving the commission that are the subject of pending or imminent court action;

(4) Preparing for, conducting, or reviewing negotiations or bargaining sessions with public employees concerning their compensation or other terms and conditions of their employment;

(5) Matters required to be kept confidential by federal law or rules or state statutes.

(C) The director of the Ohio EPA, and the director of public safety or their authorized designees, shall be known as the co-chairpersons of the commission. The co-chairpersons shall be the chief executive officers of the commission and shall perform all duties commonly incidental to such position. One of the co-chairpersons shall preside at all meetings. The presiding chairperson of each regularly scheduled meeting of the commission will alternate. If the co-chairperson who is scheduled to preside at a regularly scheduled meeting of the commission will be unavailable to serve as the chairperson of the meeting, the scheduled presiding chairperson will notify the other co-chairperson to preside, as soon as possible but no later than twenty four hours in advance. If neither chairperson is available, then the designee of the agency scheduled to preside shall act as the presiding chairperson. The secretary of the commission will attempt to notify the commission members as to which co-chairperson will be presiding.

(D) An executive committee shall be formed consisting of the members provided for in division (B)(9) of section 3750.02 of the Revised Code. If a quorum of the executive committee conducts a meeting, it shall thereafter advise the commission as a whole at any regular commission meeting, and propose resolutions for adoption to the commission as a whole, as necessary. The executive committee shall have any other powers as identified in paragraph (B) of rule 3750-10-01 of the Administrative Code.

(E) The commission through the Ohio EPA shall be responsible for recording the proceedings of the commission. The minutes of a regular or special meeting of the commission shall be promptly recorded and open to public inspection. The minutes of an executive session meeting need only include the general subject matter of the discussion at the executive session meeting. The minutes of all the meetings shall include the date, place and time of the meeting. Minutes of regular and special meetings shall include a record of motions made at the meeting, a vote count on all motions raised at



the meeting and a summary of all business conducted at the meeting. Until such time as the commission has its own staff and office, the minutes shall be stored at the office of the Ohio EPA in Columbus in the custody of the Ohio EPA, "Community Right-to-Know" program and will be available for inspection.

(F) The commission shall use the Ohio EPA public interest center to disseminate public information regarding commission meetings. The Ohio EPA public interest center shall maintain a listing of meetings scheduled to be held by the commission and its committees including the date, time, and place of all regular and special meetings. A member of the public may obtain advance notification of regular and special meetings of the commission beginning thirty days after submitting a written request to receive such notification to the Ohio EPA public interest center. The advance notification may include, but is not necessarily limited to, mailing the agenda of meetings.

(G) The commission, through the Ohio EPA public interest center shall give at least seventy-two hours advance notice to the news media of all regularly scheduled meetings. This notice will be accomplished by the Ohio EPA public interest center issuing a press release to its general list of newspapers and wire services including the date, time, place and agenda for the meeting and the name of a commission contact person who has knowledge of the scheduled meeting.

(H) The commission, through the Ohio EPA public interest center shall give at least twenty-four hours advance notice of all special meetings to any member of the news media that has requested notification, except in the event of an emergency requiring immediate official action. In the event of an emergency, the commission, through the Ohio EPA public interest center shall immediately notify the news media that have requested notification upon the scheduling of the meeting. This notice shall include the date, time, place and purpose of the meetings.

(I) At the beginning of each meeting of the commission membership, a recitation of the public notice given of that meeting shall be made. and the presiding co-chairperson or designee shall state that the meeting is open to the public.

(J) These internal rules may be supplemented by the commission through resolution adopted according to normal voting procedures.