



OHIO
COASTAL RESOURCES ADVISORY COUNCIL

OPERATING GUIDELINES

Adopted May 2010

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OPERATING GUIDELINES REVISION AUTHORITY

<u>Revision</u>	<u>Date</u>
Original	February 1, 1990
First Revision	February 3, 2000
Second Revision	May 5, 2010

OHIO COASTAL RESOURCES ADVISORY COUNCIL

OPERATING GUIDELINES

ARTICLE 1 – AUTHORITY

The Ohio Coastal Resources Advisory Council (hereinafter referred to as the “COUNCIL”) is established pursuant to Section 1506.12 of the Ohio Revised Code to advise the Director of the Ohio Department of Natural Resources (hereinafter referred to as the “DIRECTOR”) on the Ohio Coastal Zone Management Program and to protect, promote, enhance, and encourage the wise use of the coastal resources of the State of Ohio and to serve other purposes as set forth by law.

ARTICLE 2 – DEFINITIONS

Wherever used in these Operating Guidelines, the following terms have the meanings indicated herein:

“*Coastal Area*” means the waters of Lake Erie, the islands in the lake, and the lands under and adjacent to the lake, including transitional areas, wetlands, and beaches. The coastal area extends in Lake Erie to the international boundary line between the United States and Canada and landward only to the extent necessary to include shorelands, the uses of which have a direct and significant impact on coastal waters as determined by the DIRECTOR.

“*Coastal Management Program*” means the comprehensive action of the state and its political subdivisions cooperatively to preserve, protect, develop, restore, or enhance the resources of the coastal area and to ensure wise use of the land and water resources of the coastal area, giving attention to natural, cultural, historic, and aesthetic values; agricultural, recreational, energy, and economic needs; and the national interest. “Coastal Management Program” includes the establishment of objectives, policies, standards, and criteria concerning, without limitation, protection of air, water, wildlife, rare and endangered species, wetlands and natural areas, and other natural resources in the coastal area; management of coastal development and redevelopment; preservation and restoration of historic, cultural, and aesthetic coastal features; and public access to the coastal area for recreation purposes.

ARTICLE 3 – RESPONSIBILITIES AND AUTHORITIES

3.01 Responsibilities. The responsibilities and authorities of the COUNCIL shall be as specified in Ohio Revised Code Section 1506.12. The COUNCIL shall:

- A. Advise the DIRECTOR on carrying out his duties under Chapter 1506, including, without limitation, implementation of the coastal management program;

- B. Recommend to the DIRECTOR such policies and legislation as are necessary to preserve, protect, develop, and restore or enhance the coastal resources of the state;
- C. Review and make recommendations to the DIRECTOR on the development of policies, plans, and programs for long-term, comprehensive coastal resource management, including, without limitation, the coastal management program document adopted under Division (A)(1) of Section 1506.02 of the Ohio Revised Code; and
- D. Recommend to the DIRECTOR ways to enhance cooperation among governmental agencies, including, without limitation, state agencies, having an interest in coastal management and to encourage wise use and protection of the state's coastal resources.

3.02 Assistance. The COUNCIL may request information and other assistance from the governmental agencies described in Section 3.01 (D).

3.03 Services. The DIRECTOR shall furnish clerical, technical, legal, and other services required by the COUNCIL in the performance of its duties.

ARTICLE 4 – MEMBERS

4.01 Number of Members. The membership of the COUNCIL shall consist of nineteen (19) members appointed by the DIRECTOR.

4.02 Member Selection and Appointment. The COUNCIL membership shall be selected and appointed pursuant to the following criteria and procedure:

- A. Members shall represent a broad range of interest, experience, and knowledge relating to the management, use, conservation, protection, and development of coastal area resources.
- B. There shall be at least one (1) member from each shoreline county.
- C. At least one (1) member shall be a public official of a shoreline county.
- D. At least one (1) member shall be a public official of a municipal corporation that is located in a shoreline county.
- E. At least two (2) members shall be members of the Ohio Association of Realtors and whose place of business, as specified in Section 4735.16 of the Ohio Revised Code, is located in the shoreline area.
- F. At least two (2) members shall be individuals with experience in residential and/or commercial land development in the shoreline area.

- G. At least three members shall be individuals who own private shoreline property in a shoreline county.
- H. No more than ten (10) members shall be from the same political party.
- I. The DIRECTOR shall solicit names of qualified persons to serve on the COUNCIL from the legislative authorities of counties, townships, municipal corporations, and other political subdivisions, and from other interested groups located in the shoreline area.

4.03 Terms of Membership. The initial appointments to the COUNCIL shall serve terms as defined in Section 1506.12 of the Ohio Revised Code. Thereafter, the term of membership shall be for four years, commencing on the second day of February and ending on the first day of February. Members shall continue in office subsequent to the expiration date of his/her term until a successor takes office or until a period of sixty (60) days has elapsed, whichever occurs first.

4.04 Vacancies. In the event of the death, removal, resignation, or incapacity of any member, the DIRECTOR shall appoint a successor to hold office for the remainder of the term for which his/her predecessor was appointed.

4.05 Alternates. COUNCIL members may designate in writing to the chairperson an individual to represent them at a COUNCIL meeting. Such alternates may participate in the COUNCIL's discussions, but shall not count toward a quorum, shall not have voting privileges, nor shall alternates participate in executive sessions.

4.06 Removal. The DIRECTOR may remove any member at any time for inefficiency, neglect of duty, or malfeasance in office.

4.07 Public Office. Membership on the COUNCIL does not constitute holding public office or position of employment under state law and is not grounds for removal of public officers or employees from their offices or positions of employment.

4.08 Compensation. Members shall receive no compensation but shall be reimbursed from appropriations to the Ohio Department of Natural Resources for the actual and necessary expenses incurred by them in their performance of their official duties.

ARTICLE 5 – MEETINGS

5.01 Organizational Meeting. In 1990 and annually thereafter, the COUNCIL organizational meeting shall be held in ~~a~~August or at such other time the council determines is necessary or appropriate, but no more than 18 months can pass between organizational meetings.

5.02 Number of Meetings. The COUNCIL shall hold at least one meeting every three (3) months. Meetings shall generally be held in the months of February, May, August and November.

5.03 Quorum. The COUNCIL shall conduct its business only if the majority of the COUNCIL members are in attendance.

5.04 Voting. Unless otherwise specified in these Operating Guidelines, a majority vote of all the COUNCIL members in attendance at a COUNCIL meeting shall be required to approve any and all items under consideration. The vote on each item considered by the COUNCIL shall be itemized in the official record of the COUNCIL as set forth in Section 5.08. The DIRECTOR may participate in the deliberations of the COUNCIL, but shall not vote.

5.05 Regular Meetings. A regular COUNCIL meeting shall be a meeting of the COUNCIL for which the COUNCIL chairperson has caused ten (10) days prior written notification served to the COUNCIL members of the meeting's agenda, location, time, and date. This written notification shall be sent via First Class United States Mail—or Electronic mail notification ~~shall also be provided as appropriate.~~

5.06 Special Meeting. A special COUNCIL meeting is a meeting for which the ten (10) day prior written notification requirement specified in Section 5.05 is waived. For a special meeting, the COUNCIL chairperson shall cause to have a good faith effort made to have all COUNCIL members provided with telephone, electronic mail and written notification of the meeting and its agenda. No business shall be transacted on any matter not included on the agenda. The COUNCIL chairperson may call a special COUNCIL meeting and shall call a special COUNCIL meeting upon receiving a written request for such a meeting from two (2) or more COUNCIL members.

5.07 Public Meetings. All regular and special COUNCIL meetings shall be conducted pursuant to Ohio Revised Code Section 121.22 and Ohio Administrative Code Sections 1501:1-35-01 and 1501:1-35-02.

5.08 Meeting Minutes. The COUNCIL meeting minutes shall be a summary of the meeting's proceedings, with specified actions indicated in detail and the related votes itemized, and shall indicate those members in attendance. The COUNCIL meeting minutes shall be mailed to the COUNCIL members at least 21 days prior to the next regularly scheduled COUNCIL meeting.

5.09 Meeting Agenda. The COUNCIL meeting agenda shall be set forth by the COUNCIL chairperson. However, any item put forth by a COUNCIL member at a regular meeting shall be acted upon appropriately at the COUNCIL meetings.

5.10 Rules of Order. All COUNCIL meetings shall be conducted in accordance with "*Robert's Rules of Order.*" The rules contained in "*Robert's Rules of Order*" shall govern the COUNCIL in all cases to which they are applicable and in which they are not inconsistent with the Operating Guidelines of the COUNCIL.

5.11 Location. All COUNCIL meetings shall be held at various locations in the Lake Erie watershed on a rotational basis.

ARTICLE 6 – OFFICERS

6.01 Officers. The COUNCIL officers shall be the chairperson and vice-chairperson. The election of co-chairs shall also satisfy this requirement.

6.02 Selection of Officers. The COUNCIL officers shall be elected at the COUNCIL organizational meeting. The sequence of the election shall be the chairperson and then the vice-chairperson, or alternatively a co-chair. Open nominations shall be put forth and the election shall be held at the organizational meeting. A majority vote of the COUNCIL members in attendance at the meeting shall be required to elect an officer, and the nomination and voting process shall be repeated as many times as needed until a nominee receives a majority vote.

6.03 Term of Office. The term of office shall be from organizational meeting to organizational meeting.

6.04 Removal from Office. The COUNCIL may remove an officer by a majority roll call vote of the COUNCIL members in attendance at a COUNCIL meeting.

6.05 Vacancies. Vacant offices shall be filled in the manner specified in Section 6.02.

6.06 Chairperson's Duties. The chairperson's duties shall be as follows:

- A. Shall call and preside at the COUNCIL meetings;
- B. Shall appoint COUNCIL members to chair the committees established by the COUNCIL;
- C. Shall cause to have the following done:
 - 1. Notice of regular and special meetings to be served on the COUNCIL members;
 - 2. Preparation of the agenda for the COUNCIL meetings;
 - 3. Records to be maintained on the COUNCIL members' attendance at the COUNCIL meetings;
 - 4. Minutes of the COUNCIL meetings to be prepared and served on the COUNCIL members; and
 - 5. Records to be maintained on the matters considered and of the related itemized vote.
- D. Any other duties determined appropriate by a majority roll call vote of the COUNCIL members in attendance at a COUNCIL meeting.

6.07 Vice-Chairperson's Duties. The vice-chairperson shall assume the duties of the chairperson in the absence of the chairperson.

ARTICLE 7 – COMMITTEES

7.01 Establishment. The COUNCIL may establish those committees it deems appropriate to conduct its business. The committees shall not in any way exercise the authorities or perform the responsibilities of the COUNCIL as set forth in Article 3 of these Operating Guidelines.

7.02 Abolishment. The COUNCIL may abolish any committee that the COUNCIL has established pursuant to Section 7.01.

7.03 Committee Chairpersons. The chairperson of each committee established by the COUNCIL shall be a COUNCIL member and shall be appointed by the COUNCIL chairperson.

7.04 Committee Membership. The membership of a COUNCIL committee may consist of COUNCIL members and/or other persons. The committee chairperson shall invite COUNCIL members and/or other persons to serve as a member of a COUNCIL committee. All members of a COUNCIL committee shall have the same privileges, including voting privileges.

7.05 Rules and Procedures. The COUNCIL may establish rules and/or procedures governing the conduct of committee business and the interface of the committees with the COUNCIL.

ARTICLE 8 – OPERATING GUIDELINES AMENDMENT

The COUNCIL shall amend these Operating Guidelines in accordance with the following procedure:

8.01 Acceptance. The recommended amendment shall be submitted and accepted at a regular COUNCIL meeting.

8.02 Approval. The recommended amendment, accepted pursuant to Section 8.01, may be approved at a following regular COUNCIL meeting.

8.03 Amendment by Statute. Any amendments to the Ohio Revised Code or Ohio Administrative Code related to the COUNCIL shall be considered an amendment to these Operating Guidelines.