



Ohio Revised Code

Section 940.35 [Former R.C. 940.31, amended and renumbered by H.B. 340, 133rd General Assembly, effective 3/24/2021] Joint board of county commissioners.

Effective: March 24, 2021

Legislation: House Bill 340 - 133rd General Assembly

(A) If a proposed improvement would affect more than one county, the board of county commissioners from each of the counties that would be affected by the proposed improvement shall meet on a date fixed by the clerk of the board of county commissioners of the lead county. The boards shall meet in the lead county to organize a joint board of county commissioners and elect a president, which shall be the first order of business at the hearing.

(B) A joint board of county commissioners shall exercise the same powers, execute the same duties, and follow the same procedures in connection with an improvement under this chapter as the board of county commissioners of a single county.

(C) The clerk of the board of county commissioners of the lead county shall do all of the following:

- (1) Act as clerk and administrator of the joint board;
- (2) Enter the findings of the joint board in the journal of the board of county commissioners of the lead county;
- (3) Make the final record of the improvement in the lead county;
- (4) Provide copies of all proceedings to the clerks of the boards of all affected counties.

(D) A majority of the county commissioners constituting the joint board shall constitute a quorum. All decisions of the joint board shall be made by a majority vote of the quorum present at a meeting of the joint board.

(E) The director of natural resources shall be an ex officio member of the joint board and may



participate, in person or through a designated representative, in deliberations and proceedings of the joint board. The director shall have no vote on any proceedings of the joint board except in the case of a tie for or against an improvement. If the director or the director's designee is not present at the proceeding, the director shall review the proceedings and cast the deciding vote within thirty days of the proceeding. A failure to cast a vote for or against the improvement within thirty days constitutes an affirmative vote for the improvement. The clerk shall record the final resolution of the tie.

(F) Upon the creation of a joint board of county commissioners, the elected officials in the lead county, including the engineer, recorder, auditor, prosecutor, treasurer, judges, and clerk of the board of county commissioners, shall serve as the administrative officers for the joint board of county commissioners.