

AND CIRCUMSTANCES. THE COMPLAINT SHALL BE FILED WITH THE CHIEF EXECUTIVE OFFICER OF THE UNIT TO WHICH THE APPLICATION FOR REVIEW IS MADE OR, IF THERE IS NO CHIEF EXECUTIVE OFFICER, WITH ANY MEMBER OF THE UNIT'S GOVERNING BODY. IF THE INDIVIDUAL RESPONSIBLE FOR THE DECISION IS THE CHIEF EXECUTIVE OFFICER OF THE UNIT, IT IS NOT NECESSARY TO FOLLOW THE PROCEDURES PRESCRIBED IN THIS PARAGRAPH. RECEIPT OF THE COMPLAINT SHALL BE PROMPTLY ACKNOWLEDGED IN WRITING AND A COPY TRANSMITTED TO THE SECRETARY. THE UNIT SHALL INVESTIGATE THE COMPLAINT. SUBJECT TO EXTENSIONS OF TIME ON WHICH THE PARTIES AGREE, A DECISION SHALL BE RENDERED IN WRITING AND A COPY SENT TO THE COMPLAINANT WITHIN 30 DAYS OF THE FILING OF THE COMPLAINT. A RECORD SHALL BE KEPT OF ALL COMPLAINTS AND THEIR DISPOSITION. THE RECORD SHALL BE OPEN TO PUBLIC INSPECTION DURING REGULAR BUSINESS HOURS.

- (2) A PARTY AGGRIEVED BY AN ADVERSE DECISION, ACTION, OR FAILURE TO TAKE ACTION WITHIN THE TIME PRESCRIBED BY THIS SECTION MAY FILE AN APPEAL TO THE BOARD OF REVIEW OF THE DEPARTMENT OF NATURAL RESOURCES. THE BOARD SHALL ADOPT PROCEDURES AS PROVIDED IN THE ADMINISTRATIVE PROCEDURE ACT, AND SHALL IN ALL RESPECTS BE GOVERNED BY THE PROVISIONS OF THAT ACT. AT LEAST FIVE MEMBERS SHALL SIT AT ANY HEARING OF THE BOARD, CONSTITUTED AS A BOARD OF APPEAL. MINUTES OF ITS PROCEEDINGS SHALL BE KEPT. THE CHAIRMAN, OR ACTING CHAIRMAN, SHALL HAVE THE POWER TO ADMINISTER OATHS AND COMPEL THE ATTENDANCE OF WITNESSES. DECISIONS SHALL BE BY A MAJORITY OF THE MEMBERS SITTING, SHALL BE IN WRITING, AND SHALL STATE THE BOARD'S REASONS. THE DECISION OF THE BOARD SHALL BE THE FINAL UNIT DECISION FOR PURPOSES OF JUDICIAL REVIEW UNDER THE ADMINISTRATIVE