Open Meetings Act and Ethics Laws

Brittany Steele Sendi, Assistant Legal Counsel

February 2019
What We Will Cover

- Open Meetings Act
- Ohio Ethics Laws
Open Meetings: Why Do We Care?

Good government

Visible and important to public and media

Transparency
Open Meetings Act

Who is subject to the Open Meetings Act and when?

What are the meeting requirements?

Consequences and penalties for failing to comply?
Who is Subject and When?

**Public Body**
A group, or similar decision making body that is created by law and any committees or sub-committees that group creates.

**Meeting**
A pre-arranged gathering of a majority of members of a public body for the purpose of discussing and conducting business.
Meeting Requirements

• **Prearranged**: Proper notice depending on type of meeting.

• **Majority of members**: Must have a quorum and members must be present, in person. Note that the majority requirement is for the whole public body and committees.

• **Discussing and Conducting Business**: Act of weighing and examining reasons for or against a choice.
Three Obligations

- Give appropriate NOTICE
- Take action and deliberate in OPEN
- Take and file MINUTES
Notice

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Regular Meetings: Held at prescheduled intervals

Special Meetings: Any meeting other than a regular meeting
Meetings must be held in public forum, including work sessions and committee meetings.

Discussions and deliberations must occur in the open, except as otherwise provided by law.
Minutes

Minutes of meetings shall be promptly prepared, filed and maintained and shall be open to the public.

Must accurately reflect the actions taken at the meeting.
Public Records

• Minutes and handouts are public records.

• Personal notes are not a public record IF created for the member’s convenience and only reviewed by the individual who drafted the notes.
Consequences/Penalties

- Fines
- Injunctions
- Court Costs
- Attorney Fees
- Action Invalidated
- Removal from Office
Ohio Ethics Laws
Sources of conflict of interest

- Financial
- Professional
- Personal
- Familial
Prohibitions

- Using authority or influence to secure something of value
- Soliciting or accepting something of value
- Being paid for personal services rendered on matters before, or sell goods or services to, your board or commission
“To accept or not to accept; that is the question…”

No biggie…  Bad idea…
When a Conflict Arises

- Notify Council Chair in advance of meeting; and
- Abstain/Recuse, which includes:

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<th>Voting</th>
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Questions?

Contact: Ohio Ethics Commission

www.ethics.ohio.gov

(614) 466-7090
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