

Doors

Public access legislation intended to serve public

Opening

By **Dakota B** ruton Brown County Democrat

The Open Door Law, or Indiana Code 5-14-1.5, was enacted to permit the public access to meetings held by public agencies.

When the public has an opportunity to attend and observe meetings, the public may witness the government in action and more fully participate in the governmental process, according to the public access counselor's handbook on Indiana's Public Access Laws.

Public Access Counselor Luke Britt told the Democrat that the general rule of thumb is anytime the majority of a board talks, they need to announce it to the public in advance.

“The date, time and location need to be posted 48 hours in advance at the meeting area,” Britt said. “It can be posted in the lobby, on the bulletin board, somewhere that makes it obvious.”



EDITOR'S NOTE

The Brown County Democrat took a look at exactly what local governmental agencies are and are not required to do in terms of complying with Indiana Code in connection to transparency. The following is

what we learned from the state of Indiana, and our local officials.

Indiana Code states that public notice of the date, time and location is also necessary for executive sessions, rescheduled or reconvened meetings.

If the reconvened meeting’s date, time and location were announced at the original meeting and there was no change to the agenda, this statute does not apply.

Britt said that agendas are trickier because boards are not required to have one, but if they do they must post them at the entrance of the meeting location by the start of the meeting.

“If you’re going to bring something up that is not on the meeting agenda, discuss voting for it during the next meeting to give the public and everyone more time to gather questions and information,” Britt said.

He said that while agenda’s are subjective, minutes are always required.

“The statute lists five things that must be included, date and time, location, who was present, who voted or if it was a unanimous decision and the general contents of the meeting,” Britt said. “I generally say for every hour of the meeting, have a page of minutes.”

He said that the minutes are not required to be uploaded online, but they must be stored in a location where people can access them and make copies. Britt said that the best

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practice is to keep them in a minute book, so people can flip through to find what they need and have everything in one place.

Britt said that the law states the minutes should be available within reasonable time, he recommends offices to have the minutes available within two weeks after the meeting.

Britt said that he is very familiar with Brown County and hears about the county more than surrounding ones.

“We do have a constituent (in Brown County) that pays attention,” Britt said.

“He pays attention and holds feet to the fire.”

Anyone with concerns about public notice, agendas or minute keeping can reach out to the Indiana Public Access Counselor by phone at [\(317\) 234-0906](tel:3172340906) or email at pac@opac.in.gov.

“We do have a database of political opinions that date back to 1999 (on the website, www.in.gov/pac),” Britt said. “That’s a great way for people to check if their local office is practicing public access and the open door laws correctly.”