

MEETING NOTICES

Thank you for making the filing of meeting notices online a tremendous success. There have been more than 1,500 meeting notices filed since June 1, 2006.

In order to comply with the requirements of the Open Meetings Act, each meeting notice must contain the date, time, place and purpose of a meeting. In addition, a meeting agenda must be made available to the public and the media in advance of each meeting.

Meeting notices must be filed in a manner that allows the notice to appear in the State Register at least five calendar days in advance of the meeting. The Open Meetings Act does not specify how far in advance of a meeting the meeting agenda must be made available. The WV Ethics Commission, which is authorized to issue advisory opinions applying and interpreting the Act, has determined that the agenda for a regular meeting should be made available at least three business days in advance of the meeting. In counting business days, Saturdays, Sundays, legal holidays, and the day of the meeting are not included.

A meeting agenda may be included with the meeting notice filed online. If the meeting agenda will not be issued until three days in advance of the meeting, the meeting notice should advise the public when and where the meeting agenda will be made available. According to guidance issued by the Ethics Commission, a meeting agenda that has been issued three or more business days in advance of a meeting may be amended up to two business days in advance.

Routine matters that arise after an agenda has been issued, and the time for amending the agenda has passed, should be held over and placed on the agenda for the next meeting. However, matters which involve "an emergency requiring immediate official action" may be added to the agenda at any time in advance of the meeting. Emergency matters should be included in the meeting agenda as far in advance of the meeting as practical, and should include a description of the facts and circumstances that constitute an emergency. These same facts and circumstances should likewise be documented in the meeting minutes whenever an emergency matter is addressed.

The meeting agenda should describe all matters requiring official action by a governing body which the governing body anticipates addressing in the course of the meeting. These items need to be described in sufficient detail to make the public aware of the particular matters to be dealt with at the meeting. Although generic terms such as "Old Business" and "New Business" may be used to categorize matters listed on the agenda, these agenda headings are insufficient to put the public and media on notice of any particular matters. Thus, a meeting notice which simply states that an agency will conduct a "regular quarterly meeting to address whatever matters may properly come before the board" does not provide an adequate description of the meeting agenda.

Additional information on the requirements of the Open Meetings Act can be obtained from the WV Ethics Commission at 866-558-0664.