



10-Minute Supervisor Trainings

Kentucky Soil and Water Conservation Commission

APRIL 2010

OPEN MEETINGS AND OPEN RECORDS

As public agencies, conservation districts should hold their meetings in accordance with Kentucky's requirements and store their records in such a way that they are available for open records requests.

Kentucky's Revised Statutes chapter 61 declares that the public's business should not be conducted in secret. This should be kept in mind by all public officials. The full text of this chapter is available on line, or your field representative can provide you with a copy.

Open Meetings Act (KRS 61.805-61.850) Any meeting that the district holds should be planned with the Open Meetings Act in mind. The meeting should be held at the date and time that has been published so that members of the public can attend. The agenda should be worded in such a way that a member of the public would know what is going to be discussed at the meeting. All business in which the district engages should be discussed during a meeting – no decisions can be made outside of a meeting that is open to the public.



Open Records Act (KRS 61.870-61.884)

Any request for records that comes to the district should be in writing. As the district deals with both federal and state programs, the request should be specific as to which records are being requested. State and federal laws differ as to what information is releasable, so the district should contact their field representative and NRCS as soon as a request is received.

Any time a quorum of supervisors is together discussing the business of the district, a meeting is being held. If this meeting is not during the published meeting time, it's considered a special meeting. Special meetings have to be announced at least 24 hours in advance with a written notice. This written notice must be delivered to the supervisors and interested parties and displayed on the door of the district office and the location of the meeting. The notice must include an agenda of the meeting, and no items of business that aren't on the agenda can be discussed.



Notes:

- District business discussed before the meeting by telephone, email, or in person is a direct violation of the Open Meetings Act.
- Closed sessions can only be entered after a vote by the board of supervisors and to discuss specific actions that are listed in KRS 61.810. Actions such as specific personnel discussions, acquisition of property and discussions of litigation are among the exception to the open meetings rule.
- A quorum of supervisors is **four**. Even if there are less than seven active supervisors at any point in time, the quorum remains the same.
- A person attending a public meeting may record the proceedings by videotape, audiotape, or by any other method as long as such recording does not interfere with the conduct of the meeting.
- Violations of the Open Meetings Act can, at the discretion of the court system, be punished by fine payable by both the district responsible for the violation and any supervisor who knowingly participates in a meeting that doesn't follow the act.

Discussion Questions:

1. Why should we abide by the Open Meetings Act?
2. What is a "record" and what information does the district have that is open to the Open Records Act?
3. What can we do to ensure that we are acting according to the Open Meetings and Open Records Acts?