

CITY OF FAIRVIEW

BOARD OF COMMISSIONERS WORKSHOP

AUGUST 27, 2015

Patti L Carroll, Mayor
Toney R Sutton, Vice-Mayor
Allen Bissell, Commissioner
Shannon L Crutcher, Commissioner
Stuart L Johnson, Commissioner
Wayne Hall, City Manager
Larry Cantrell, City Attorney
Brandy Johnson, City Recorder

Present: Carroll, Sutton, Bissell, Crutcher, Johnson

Others Present: Hall, Cantrell, Johnson

1. **Call to order by Mayor Carroll at 7:04 p.m.**
2. **Discuss Open Meetings Act and Open Records Act with City Attorney Larry Cantrell** - key points from Attorney Cantrell included:

Open Records Act

- All records kept by the government are subject to viewing or copying by the public and requests are typically made through the records custodian so the Board is not likely to run into these requests
- Certain items are not subject to these requests,
- Fulfilling requests can be financially taxing to the government entity but can also be embarrassing
- The requestor can be charged for copies (statute has a max per page rate), labor after one hour and the charges can be collected prior to work if it's a strange or extreme case
- Statute allows 7 working days to produce the records requested or provide a written estimate if not possible to fulfill within that time frame

Open Meetings Act/Sunshine Law

- Cantrell recommends reading the statute to become familiar
- All meetings of governing bodies are public and should be open to the public – includes elected officials and those boards set up by the elected officials but does not apply to the state legislature
- General exchange of information between Board members is allowed without comments/plans on how they plan to vote
- Cantrell discourages talking to one another prior to meetings because even if innocent could be guilty in the court of public opinion
- Accusations against the Act require the accuser carry the burden of proof but the law is typically broadly construed
- Appropriate notice of regular and special meetings is required
- No secret votes allowed
- There are provisions to correct if the Board recognizes a mistake and they involve a special meeting or public hearing
- Actions taken in meetings not properly advertised and unlawful and considered void

3. **Adjournment at 7:30 p.m.**

Brandy Johnson
City Recorder