

A of D 9-18-19
Agenda item #
14.a

Janice O'Connell

From: OpenMeeting (AGO) <openmeeting@state.ma.us>
Sent: Friday, September 06, 2019 3:05 PM
To: Janice O'Connell
Subject: RE: Question - Regarding Alternative Posting Locations for a Regional Governmental Public Body

Ms. O'Connell,

If a parent body has adopted a website as its official notice posting location, subcommittees and bodies established by/reporting to the parent body may use that website as their official notice posting location without notifying our office.

However, it would be good practice to state during a meeting (and document in meeting minutes) that subcommittees will be using the alternative notice posting method of the parent body. For example, when a parent body creates a subcommittee, it might state that the subcommittee will also be using the website as its notice posting location, or a parent body might state in a meeting that current and future subcommittees will be using the posting method of the parent body. This will help to ensure that members of the public know where to look for meeting notices.

Sincerely,

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From: Janice O'Connell <joconnell@barnstablecounty.org>
Sent: Friday, September 6, 2019 9:58 AM
To: OpenMeeting (AGO) <OpenMeeting@MassMail.State.MA.US>
Subject: Question - Regarding Alternative Posting Locations for a Regional Governmental Public Body

Good Morning and thank you for considering this inquiry.
I would like to receive a written response (email response would be fine) to my question but first I would like to provide you with some background.
Barnstable County is a regional governmental body served by two branches: Executive Branch with a Board of Commissioners and a Legislative Branch with Assembly Delegates.

In 2014 the legislative branch, Assembly of Delegates, voted (and was granted by the AGs Office) permission make the county web page its alternative posting location for Assembly meetings. The Assembly has the power and responsibility to appoint subcommittees, standing committee, and ad hoc committees to assist them in their work process. These committees are internal and fall under the jurisdiction of the Assembly of Delegates. As an example, I am attaching a typical posting notice for a subcommittee of the Assembly of Delegates and a posting notice for the full legislative body known as the Assembly of Delegates, for your reference.

In 2018 the executive branch, Board of County Commissioners, also voted (and was granted by the AGs Office) permission to make the county web page its alternative posting location for Commissioners meetings. The Board of

Commissioners also have power and authority to appoint committees, are internal and fall under their jurisdiction with postings handled in a similar fashion as the Assembly.

Question: If the parent public body has received permission and approval (from the AGs Office) to use an alternative posting location for public body meetings (in our case it is the county web page), does that authorization trickle down to all other subcommittees, committees, ad hoc committees that fall under the parent jurisdiction?

If not, why not and how would you want this be handled other than our existing approach which is to recognize the alternative posting location for all subcommittees, etc. that fall under the parent body.

I would like to clear up any confusion over this matter and make sure we are in compliance with the Open Meeting Law. Your determination might impact other entities and governmental bodies with their approach and understanding of how posting should be handled for all its individual subcommittees.

Thank you for your consideration.

Janice O'Connell
Assembly of Delegates - Clerk
Barnstable County - County Clerk
508-375-6761