

# Idaho Open Meetings Law: Advanced Session

March 3, 2021

1

## Pandemic Issues

- Provide notice of any meeting changes
  - Social distancing
  - Mask requirements
  - Capacity Limits
  - Streaming access
  - Remote testimony availability/registration
    - Limitations on testimony (e.g. 3 minutes per)

2

## Agendas

- Identify all items of probable discussion
- Identify all actions items
- Executive Sessions are action items
  - \*No action will taken in executive session, if action is necessary following the executive session, it will be addressed in open session.
- No catch all executive session items
  - Should only be on there if there is a good faith need or anticipated need for a specific executive session item.
- Amending the Agenda
  - Add an executive session

3

## Executive Sessions

- Board determines who comes in to executive session
  - Caution—stay on topic, make sure minutes are created
- Tips
  - Time stamp entry in and out of session
    - Example: Entered executive session at 11:30 am, discussed the acquisition of an interest in real property as provided for in Idaho Code § 74-206(1)(c). Adjourned executive session at 11:50 am and returned to open session.
  - Keep sessions short, small, and focused.

4

## Non-meeting Interaction

- Permissible but have to be careful
  - Perception
  - Discipline
- Constituent interaction
  - One on one—probably okay unless you are acting in quasi-judicial capacity
    - Example: Land Use
- E-mail, Text, Zoom Chat
  - Quorum can be reached without your knowledge

5

## Other questions

6