



# COUNTY OF ERIE

**MARK C. POLONCARZ**

COUNTY EXECUTIVE

## ERIE ARTS & CULTURAL ADVISORY BOARD MEETING AGENDA

Thursday, September 2, 2021 – 4:30 pm

*Webex*

<https://erie.webex.com/join/mariely.ortiz>; Meeting number (access code): 146 933 7418

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- A. Welcome
- B. New Chairperson vote
- C. Open meetings law changes for EACAB (due to §2205(G) of the County Charter)
  - a. Schedule posted to [erie.gov/environment](http://erie.gov/environment) (linked from [erie.gov/cultural](http://erie.gov/cultural)) – with location and/or login information – must be provided to media at least one week prior and publicly posted at least 72 hours in advance
    - i. Recording posted on website ([erie.gov/cultural](http://erie.gov/cultural)) within and for a reasonable amount of time
  - b. Ensure barrier-free in-person access to meetings for the public to “attend, listen, and observe”
    - i. Space should accommodate expected attendance
    - ii. Participation of the public is not required by OML, but is encouraged. Likely, the board should develop rules equally treating each person interested in participating, in anticipation of any controversial topic that may arise at a meeting (town boards have these sort of rules we may be able to adjust).
  - c. Can be recorded and/or photographed
    - i. Board may have rules reasonably governing the location of equipment and personnel - conspicuously posted and with written copies available upon request
  - d. Records subject to discussion during the meeting must be posted to website before the meeting and be made available prior to or at the meeting.
    - i. “Records” defined in FOIL.
    - ii. intra-agency record exemption: 'to protect the deliberative process of the government by ensuring that persons in an advisory role [will] be able to express their opinions freely to agency decision makers'
      1. the exemption does not apply when the requested material consists of 'statistical or factual tabulations or data' (i.e., “objective information, in contrast to opinions,

ideas, or advice exchanged as part of the consultative or deliberative process of government decision making”, advisory opinion 5380 from Committee on Open Government, 10/1/2013)

- e. Can enter executive session from an open meeting with majority vote of total membership, for specific reasons.
  - i. Most likely reason for EACAB is OML §105(1)(f), i.e., financial history of corporation
- f. Minutes must show motions, proposals, resolutions, and any other matter formally voted upon
  - i. Must be available online within 1 week of executive session, within 2 weeks for open meeting

D. Bylaws – thoughts & subcommittee

E. Next Meeting:

- a. 2022 Awards/Results Review – January 2022

