



# VIRGINIA FREEDOM OF INFORMATION ADVISORY COUNCIL

## COMMONWEALTH OF VIRGINIA

Delegate James M. LeMunyon, Chair  
Senator Richard H. Stuart, Vice Chair

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August 11, 2016

1:30 PM

House Room C,

General Assembly Building, Richmond, Virginia

### Meeting of the MEETINGS Subcommittee of the FOIA Council

*Proposed Agenda  
(Annotated)*

1. Call to order.
2. Review of HB 698 (Kory, 2016) and HB 757 (R. Bell, 2016) referred by General Assembly.
  - **HB 698** Kory--Requires that every public body afford an opportunity for public comment during any open meeting. A public body may adopt reasonable rules governing the public comment portion of the meeting, including imposing reasonable restrictions on time, place, and manner.
  - **HB 757** Bell, RB--Requires a local or regional public body to disseminate to the public an agenda for a public meeting at least seven days prior to the meeting or 24 hours prior to an emergency meeting. The bill also requires such body to provide at least five minutes for public comment on each agenda item at the public meeting.
3. Review of proposed amendments to § 2.2-3707.1, website posting of meeting minutes (LD 17100057D).

*At its May 4, 2016 meeting, the Subcommittee directed staff to prepare a draft amending this section to require posting of meeting minutes for all state public bodies and local governing bodies, including school boards; however, for such local governing bodies, posting is required only for approved minutes. This limitation for local governing bodies and school boards was acknowledgment of the fact that such local governing bodies and school boards meet monthly and as a practical matter, draft minutes are prepared in time for approval at the next meeting. At its June 6 and July 18, 2016 meetings, the Subcommittee discussed the draft again in-depth and took additional public comment. At the July 18, 2016 meeting, the Subcommittee agreed to defer further consideration of website posting of meeting minutes until new Subcommittee members are*

*appointed. Ms. Dooley noted that with the expiration of Messrs. Selph and Landon's terms on the Council and the Subcommittee, it would be better to have more Subcommittee members to weigh in on the discussion. The Subcommittee requested staff to contact Chairman LeMunyon with a request that he appoint two new members to the Subcommittee to fill the vacancies left by Messrs. Selph and Landon.*

4. Continue implementation of subcommittee work plan--Review of § 2.2-3700 (policy of FOIA).
5. Public Comment.
6. Discussion.
7. Other Business.
  - Texting during the course of a public meeting by members of the public body; recent story in Loudoun County. Implications for FOIA.
8. Set future meeting dates in 2016. *Reminder: We may need to set meeting dates for September and October (BEFORE the Council meeting on Monday, October 17, 2016 as per Chairman LeMunyon). Please bring your calendars.*

**FYI, the next meeting date of the Meetings Subcommittee has been scheduled for Monday, September 19, 2016 at 10:00 a.m.**

9. Adjournment.

#### **Subcommittee Members**

**Kathleen Dooley, Chair**  
**Shawri King-Casey**

**Marisa Porto**

#### **Staff**

Maria J.K. Everett, Executive Director and Senior Attorney  
Alan Gernhardt, Senior Attorney  
VA FOIA Council

The FOIA Council's web site is: <http://foiacouncil.dls.virginia.gov/>. To assist us in providing Internet dissemination of materials, presenters are requested to submit written comments and handouts in electronic format by (i) e-mail to staff prior to meetings or (ii) diskette furnished to staff at meetings. Presenters are also requested to bring 20 copies of their remarks or handouts to meetings. These copies will be provided to FOIA Council Subcommittee members and the public.

E-mail: [foiacouncil@dls.virginia.gov](mailto:foiacouncil@dls.virginia.gov).