



# STATE OF INDIANA

MICHAEL R. PENCE, Governor

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December 17, 2014

Ms. Tayler L. McGlocklin  
7840 W. Main St.  
Stinesville, IN 47464

*Re: Formal Complaint 14-FC-276; Alleged Violation(s) of the Open Door Law by  
Stinesville Town Board*

Dear Ms. McGlocklin,

This advisory opinion is in response to your formal complaint alleging the Stinesville Town Board ("Board") violated the Indiana Open Door Law ("ODL"), Ind. Code § 5-14-1.5 *et. seq.* Ms. Lois Pursell, Clerk-Treasurer, responded on behalf of the Board. Her response is enclosed for your review. Pursuant to Ind. Code § 5-14-5-10, I issue the following opinion to your formal complaint received by the Office of the Public Access Counselor on November 17, 2014.

## BACKGROUND

Your complaint dated November 16, 2014, alleges the Stinesville Town Board violated the Open Door Law by cancelling a meeting without notice.

On November 11, 2014, the Board scheduled a meeting to open bids for a town vehicle being auctioned. When you arrived at the location of the meeting, it was not in session. After waiting for some time, you drove to the Clerk-Treasurer's house to inquire. She advised you the meeting had been cancelled due to it being Veterans Day.<sup>1</sup>

The Clerk-Treasurer acknowledged the meeting cancellation, but notice was not given the meeting was cancelled.

## ANALYSIS

It is the intent of the Open Door Law (ODL) the official action of public agencies be conducted and taken openly, unless otherwise expressly provided by statute, in order that

<sup>1</sup> The procedures for receiving and opening bids are not regulated by this office and will therefore not be addressed in this Opinion.

the people may be fully informed. See Ind. Code § 5-14-1.5-1. Accordingly, except as provided in section 6.1 of the ODL, all meetings of the governing bodies of public agencies must be open at all times for the purpose of permitting members of the public to observe and record them. See Ind. Code § 5-14-1.5-3(a).

Please be advised the Open Door Law does not contemplate cancellation of meetings. It is only required that notice be given of meetings which actually take place. Because no meeting took place without notice, there has been no violation of the Open Door Law.

### **CONCLUSION**

For the foregoing reasons, it is the Opinion of the Public Access Counselor the Town of Stinesville has not violated the Open Door Law.

Regards,

A handwritten signature in black ink, appearing to read 'LH Britt', with a long, sweeping underline.

Luke H. Britt  
Public Access Counselor

Cc: Ms. Lois Pursell