



STATE OF INDIANA

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July 23, 2026

Re: Complaint 25-FC-291
Mathew Randle (Complainant) v.
Town of Camden (Respondent)

This advisory opinion is issued in response to the above-referenced complaint filed on October 10, 2025.

A Notice of Complaint, along with a copy of the complaint, was sent to the Respondent on October 22, 2025, requesting a formal response by November 20, 2025. A formal response, submitted by Jeff Sieber, Clerk-Treasurer, was received in this office on November 19, 2025.

The complaint alleges that Respondent violated the Open Door Law (ODL) by 1) not live streaming or posting recordings of its meetings and 2) the virtual/remote attendance by a council member for more than twenty-four (24) months.

ANALYSIS

The Open Door Law (ODL) requires public agencies to conduct and take official actions openly, unless otherwise expressly provided by statute, so the people may be fully informed. Indiana Code (IC) 5-14-1.5-1. As a result, the ODL requires all meetings of the governing bodies of public agencies to be open at all times to allow members of the public to observe and record the proceedings. IC 5-14-1.5-3(a).

Respondent is a public agency and governing body for purposes of the ODL, and thus, is subject to the law's requirements. IC 5-14-1.5-2. As a result, unless an exception applies, all meetings of the Respondent must be open to the public at all times to allow the members of the public to observe and record.

Live streaming and/or recording of public meetings

Effective July 1, 2025, executive, legislative and fiscal bodies at all levels of government are to provide, on a publicly accessible platform of their choice, (1) live transmission of the governing body's meeting and/or (2) a recording and publication of the meeting for ninety (90) days. 5-14-1.5-2.9(c) & (f)(1).

Complainant alleges that the Respondent has failed to live stream town council meetings and archive the recordings so that the meetings can be viewed online.

ODL requires a governing body to provide on a publicly accessible platform of the public agency's choosing the following:

- 1) Live transmission of the public agency's meetings.
- 2) Archived copies of the live transmissions described above, each archived copy providing links to the meeting's:
 - a. agenda, if any
 - b. minutes, if any; and
 - c. memoranda.

IC 5-14-1.5-2.9(c).

A governing body shall include the website for live transmissions and archived copies of live transmissions in the meeting notice. IC-5-14-1.5-2.9(d).

If a governing body does not have Internet capability for live transmission of meetings, the governing body shall record the meeting and retain the recording as provided above. IC-5-14-1.5-2.9(e).

Respondent stated that it did not live stream all meetings as required. Respondent faced a couple of difficulties. One was access to the existing YouTube.com login, which once resolved allowed for posting of the recordings. The other was finding a portable live streaming solution because Respondent changes meeting locations rather than maintain a fixed meeting venue.

Regardless, the Respondent was required to either live stream or record the meeting and post it on its website. Respondent stated that recordings are now available at <https://www.youtube.com/@townofcamden2075>.

It is unclear if all meetings since the July 1, 2025, effective date have been recorded and are now posted. Respondent further acknowledges that live streaming is now available and would begin in December 2025.

Although Respondent did not comply with live streaming or recording and may have been unprepared to do either as of the July 1, 2025, effective date, it regrets the "technical and administrative problems we've experienced". Under IC 5-14-1.5-2.9(g):

(g) A technological failure that disrupts or prevents the governing body from live streaming, recording, archiving, or maintaining a copy of a live transmission or recording of a meeting does not:

(1) prevent the governing body from conducting the meeting;

(2) affect the validity of an action taken by the governing body at the meeting;

(3) violate this chapter or any statute concerning the retention, preservation, or production of public records; or

(4) subject any person to civil or criminal liability.

Virtual meeting attendance

Complainant also alleges that the Respondent has not complied with the ODL as it relates to virtual attendance of council meetings by a specific council member. The complaint alleges that the council member has been attending virtually for more than twenty-four (24) months.

A member of the governing body of a public agency who is not physically present at a meeting of the governing body may participate in a meeting by any electronic means of communication that does the following:

(1) Allows all participating members of the governing body to simultaneously communicate with each other.

(2) Allows the public to simultaneously attend and observe the meeting.

IC 5-14-1.5-3.5(b).

A governing body member who participates in the meeting by an electronic means of communication shall be considered present for purposes of establishing a quorum but may participate in any final action taken at the meeting only if the member can be seen and heard. IC 5-14-1.5-3.5(b)

The governing body shall adopt a written policy establishing the procedures that apply to a member's participation in a meeting by an electronic means of communication. The governing body may establish procedures that are more restrictive than the procedures established by this section. IC 5-14-1.5-3.5(d).

Respondent stated that it has an "Ordinance in place allowing one council member to attend via phone because he is currently confined to his home for health reasons" and the Ordinance is located in the Respondent's Ordinance Book. Neither Respondent nor Complainant stated whether the virtual council member could be seen and heard. But with today's technology a "smart" phone and an online meeting tool such as Microsoft Teams, Zoom, or even facebook messenger, could allow for the council member to be seen and heard. If the virtual council member cannot be seen and heard, Respondent should revisit IC 5-14-1.5-3.5(b) as to final action. The Respondent did not provide a copy of the Ordinance; it just should not be less restrictive than ODL.

Under IC 5-14-1.5-3.5(g), *At least fifty (50%) of the members of the governing body must be physically present at a meeting.* Neither Complainant nor Respondent has stated that the Council is comprised of two (2) or less members. Therefore, it seems one member may participate virtually.

A member of the governing body may not attend more than fifty percent (50%) of the governing body's meetings in a calendar year by means of electronic communication, unless the member's electronic participation is due to:

(1) military service;

(2) illness or other medical condition;

(3) death of a relative; or

(4) an emergency involving actual or threatened injury to persons or property.

IC 5-14-1.5-3.5(h).

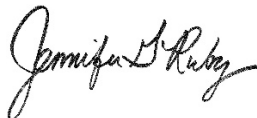
Respondent stated that the virtual council member is “confined to his home for health reasons”.

CONCLUSION

This office finds that Respondent violated the ODL by not live streaming or recording and posting its meetings, starting July 1, 2025.

Respondent has been working on the issues and appears to have resolved the issues to come into compliance. Compliance with IC 5-14-1.5-2.9 is essential for openness and transparency of public meetings; however, technical failures were contemplated by the Indiana General Assembly by its inclusion of (g) above.

This office further finds that Respondent did not violate ODL by allowing the council member to attend virtually for more than twenty-four (24) months as long as it has complied with the provisions of IC 5-14-1.5-3.5.



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