



STATE OF INDIANA

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May 18, 2026

Re: Complaint 25-FC-295
Mary A. Brown (Complainant) v.
Miami County Government (Respondent)

This advisory opinion is issued in response to the above-referenced complaint filed on October 14, 2025.

A Notice of Complaint, along with a copy of the complaint, was sent to the Respondent on October 23, 2025, requesting a formal response by November 21, 2025. A formal response, submitted by Attorney Mark A. Frantz of Downs, Tandy, & Petruniw, PC on behalf of Respondent, was received in this office on November 21, 2025.

The complaint alleges that Respondent violated the Open Door Law (ODL) when a notice of the public meeting was not properly posted.

ANALYSIS

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, 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 for purposes of ODL, and therefore, subject to the requirements. IC 5-14-1.5-2(a)(1). As a result, unless an exception applies, all meetings of Respondent should be posted by notice and open to the public.

Complainant alleges that a regular public meeting of the Respondent was held on October 6, 2025, and proper notice of the meeting was not provided. The complaint alleges that Respondent failed to post the notice of the meeting at the meeting location. The complaint further alleges that Respondent failed to post the notice of the meeting on the County's website or facebook page.

ODL provides that public notice shall be given by the governing body of a public agency by posting a copy of the notice at the principal office of the

public agency holding the meeting or, if no such office exists, at the building where the meeting is to be held. IC 5-14-1.5-5(b)(1).

Since the Board of County Commissioners do not have a specific office, the notice was properly posted at the building rather than the meeting location within the building.

The notice shall provide the date, time and place of the meeting, executive session or any rescheduled or reconvened meeting, at least forty-eight (48) hours in advance of the meeting (excluding Saturdays, Sundays and legal holidays). IC 5-14-1.5-5(a).

As an alternative, notice of regular meetings may be given only once a year, unless the date, time or place of the meeting is changed. IC 5-14-1.5-5(c). Respondent stated that the meeting notice was posted in accordance with IC 5-14-1.5-5(c) on an annual basis at the Miami County Courthouse.

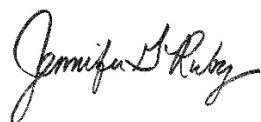
Respondent further states that no changes were made to the dates, times or location of the meeting, in question, from the annual notice posted at the start of 2025. Therefore, no additional notice is required, provided the annual notice, listing all of the meeting dates, times and locations, remains posted for the public to reference throughout the year.

Respondent also stated in its formal response that ODL does not require posting of the notice to its website or facebook as allegedly required by Complainant. There are no requirements to post notices for the public in addition to section 5(b)(1) referenced above.

There are other provisions to obtain notice directly, but those requirements are based upon annual requests by the individual to receive direct notice of the meetings, not at issue here.

CONCLUSION

This office finds that Respondent did not violate ODL as alleged in the complaint.



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