

10 Minute Supervisor Trainings



July 2025

Open Meetings

Conservation districts are subdivisions of state government, according to KRS 262.200. One of the things this means is that conservation districts must follow all the rules of the Open Meetings Act (KRS 61.800-850). As elected officials, each supervisor should be aware of the rules that must be followed for regular and special meetings and should ensure that all meetings follow those rules.

Every gathering of a quorum of the members of a public agency at which public business is discussed or action is taken must be open to the public. These meetings, whether regular or special, should be held at specified times and places that are convenient to the public.

REGULAR MEETINGS:

These are meetings that happen at the time, place, and date listed in the legal notice in the newspaper each year.

A majority of the possible members of a public agency is considered a quorum. A conservation district has 7 possible members, so a quorum is 4. This is true, even if the district has vacancies on the board.

Districts must keep minutes of action taken at every meeting as an accurate record of votes and actions taken. These minutes must be open for inspection by the public no later than the conclusion of the agency's next public meeting.

Meetings should be conducted according to Robert's Rules of Order ensuring agenda items are addressed, and any action taken is duly discussed, approved, or denied by board members.

Meeting rooms should allow for effective public observation of the meetings. People attending the meeting cannot be required to identify themselves. The agency cannot place conditions on attendance of the public at a meeting other than to maintain order. People attending the meeting can record the meeting if they choose to do so.

Public agencies must permit news media coverage, including recording and broadcasting.

COMMITTEE MEETINGS:

A committee of a public agency must also follow all the rules of the Open Meetings Act, including giving public notice, keeping minutes, and requiring a quorum. A quorum of a committee is based on the membership of the committee, not the whole agency. So if a conservation district board names 3 members to a committee, at least 2 of those members must be present to constitute a quorum.

SPECIAL MEETINGS:

Any meeting of a public agency that isn't held at the same time, place, and date as a regular meeting is considered a special meeting, even if the meeting is only pushed back a half hour. Extra steps are required if a district holds a special meeting.

The chair or a majority of the board members may call a special meeting.

As soon as possible, but at a minimum 24 hours before the meeting, written notice of a special meeting must be posted in a conspicuous place in the building where the meeting will take place and the building where the district holds their regular meeting (if those are different buildings). This notice must include the specific of the meeting including date, time, location, and agenda.

Written notice must be provided at least 24 hours before the special meeting to all the board members, anyone that normally attends a conservation district regular meeting, and anyone who has requested notification of meetings. This includes your field representative and NRCS staff.

The only things that can be discussed at a special meeting are the items that are on the agenda.

CLOSED SESSION:

Conservation districts can enter into a closed (or executive) session after a motion, which should include exactly which part of KRS 61.810(1) that allows that specific closed session. For example, "I move that we enter closed session to discuss our pending litigation as allowed by KRS 61.810(1)(c)."

Although there is a long list of exceptions to the open meetings requirements, only 3 are generally applicable to conservation districts. These 3 reasons that conservation districts can enter into closed session are:

- Buying or selling property, buy only if the discussion is likely to affect the value of the property.
- Discussions of pending litigation.
- Discussions that might lead to the appointment, discipline, or dismissal of an individual employee.

NOTE: This does not include general personnel matters such as evaluations and raises.

Motions can't be made while in closed session. No audio or video recordings may take place, and no minutes are kept.

Advisors can be asked to stay for a closed session. They should keep the proceedings in confidence.

ASK YOURSELF

Why has your district had to reschedule meetings before? When was your last special meeting? Did everyone who was supposed to know about your meeting receive notice?

VIDEO TELECONFERENCING:

A district's meeting can be conducted by videoconference. This is defined as a "meeting occurring in two (2) or more locations where individuals can see and hear each other by means of video and audio equipment."

If a district is going to have a videoconference option, the meeting notice must clearly state that it's an option and must provide specific information about how any member of the public can view the meeting electronically.

If two or more members will attend the videoconference meeting from the same physical location, then the notice of the meeting must include a primary physical location where the public can attend. If everyone is in a different location, the meeting doesn't have to have a physical location.

If the videoconference has an interruption, the meeting must immediately stop until the video and audio is restored.

Meetings cannot be conducted by telephone conference. All board members must be able to be SEEN and HEARD. While a board member can listen in via telephone, they cannot be counted toward a quorum and cannot vote on any action items.

FOR MORE INFORMATION:

Kentucky Open Meetings

Act: <https://apps.legislature.ky.gov/law/statutes/chapter.aspx?id=37294>

Kentucky Open Meetings

Guide: <https://www.ag.ky.gov/AG%20Publications/2023%20Open%20Records%20Open%20Meetings%20Guide.pdf>

Kentucky Attorney General's

Previous Decisions: <https://www.ag.ky.gov/Resources/orom/Pages/default.aspx>

DID YOU KNOW?

Any member of the public can petition Kentucky's Attorney General when they feel a public agency has not followed the rules of the Open Meetings Act? You can read about those instances through the link to the left.