



PUBLIC INVOLVEMENT PLAN

Coweta County Joint Comprehensive Transportation Plan

Prepared for
Coweta County Department of Planning and Zoning

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Submitted
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1.0 Overview of Joint CTP and Public Involvement Plan

1.1 Plan Overview

The population of Coweta County has experienced significant growth over the last 10 years. As a result, Coweta County recognized the need to address existing and future land use and transportation concerns. The County contracted with the URS consultant team to identify strategies that will potentially improve accessibility, mobility, and connectivity for the County and the seven municipalities of Grantville, Haralson, Moreland, Newnan, Senoia, Sharpsburg, and Turin.

The Joint Comprehensive Transportation Plan (CTP) will consider increasing the connectivity of the transportation network rather than relying exclusively on capacity enhancements of existing roadways. In addition, the Joint CTP will establish policies to guide the provision of transportation improvements within Coweta County and the seven municipalities.

The Coweta County Joint CTP will focus on seven critical aspects:

- Support the economic vitality of Coweta County, especially by enabling global competitiveness, productivity and efficiency;
- Increase the safety of the transportation system for motorized and non-motorized users
- Increase the accessibility and mobility options available to people and for freight;
- Protect and enhance the environment, promote energy conservation, and improve quality of life;
- Enhance the integration and connectivity of the transportation system, across and between modes, for people and freight;
- Promote efficient system management and operation; and
- Emphasize the preservation of the existing transportation system.

Key issues to be considered in developing a Joint CTP will be to aid in the development of public and agency involvement and coordination with planning and regulatory processes in Coweta County.

1.2 Importance of Public Involvement

The purpose for developing a formalized public involvement plan is to insure consistency throughout all levels of the transportation planning process regardless of the size or budget of a proposed project. As such, the public involvement program for the Coweta County Joint CTP will enable the general public, government agencies, businesses and other stakeholders, to receive background and technical information in order to provide meaningful input to the County during the planning process. There are six elements included in the Public Involvement Plan:

1. Clearly defined purpose and objectives for initiating public dialogue on transportation planning issues;
2. Specific identification of the affected public and other stakeholder groups;
3. Identification of techniques for engaging the public in the transportation planning process;
4. Notification procedures that target potentially affected groups;
5. Education and assistance techniques that result in accurate and full public understanding of transportation and related issues; and
6. Measurable actions that demonstrate local County and municipal decision makers seriously consider public input.



1.3 Structure of the Public Involvement Plan

The public involvement plan is divided into seven parts. Section 1.0 provides an overview of the intent of the Coweta County Joint CTP and Public Involvement Plan. Section 2.0 describes the policy requirements that apply to public involvement programs for transportation planning studies and projects. Section 3.0 outlines the four-step process that will be used to develop and implement the public involvement program. Section 4.0 summarizes the specific public involvement techniques developed to create an open and flowing community dialogue that will help shape the future of transportation in Coweta County. Section 5.0 depicts the implementation schedule for each major public involvement task. Section 6.0 lists the performance measures that will be used to determine the level of public participation in the Coweta County Joint CTP. Finally, Section 7.0 reiterates the County's commitment to a community-based planning approach to public involvement.

Real public involvement and community relations are good policy, and in times of tightening budgets and mounting safety concerns, good business. Whether it's called public involvement, community relations or just good government, the task is the same. Start a dialogue and then spend as much time as possible listening.

2.0 Policy Requirements for Public Involvement

The public involvement strategies and techniques for the Coweta County Joint CTP will uphold the local, state, regional and federal guidelines and requirements as defined in the following paragraphs.

2.1 Local

It is the goal of the Coweta County Commission to: "Provide efficient local government that is responsive to the needs of Coweta County residents." The policies involved in achieving this objective are: "to encourage the citizens of Coweta County to become familiar with current and long-range plans and their use, to encourage direct participation of citizens in the local decision-making processes, to promote and support the establishment of neighborhood and community citizen organizations, and to support and encourage the holding of local public informational meetings in a variety of locations on neighborhood, community and county issues."

The Coweta County Commission Public Meetings Rules and Regulations for both regularly scheduled commission meetings and public hearings are attached as **Appendix A**.

2.2 Regional

The goals of the Atlanta Regional Commission's framework for coordinating and implementing public involvement programs are:

- To provide opportunities for citizens to help shape the region's future through an active engagement process that is early, open and accessible to decision-makers and acknowledges citizen insights.



- To work with community groups to create opportunities for all segments of the public to learn and become informed about issues and proposals under consideration in the planning process.
- To integrate and coordinate its citizen involvement activities with state and local governments' public involvement processes to increase efficiency and to broaden the base of outreach; and
- To look for opportunities to seek the advice and guidance of low-income and ethnic communities that do not consistently participate in the regional planning process.

The Atlanta Regional Commission has established procedures, committees, and resources to coordinate public involvement activities with its transportation planning partners throughout the region:

- Develop a community participation plan containing an outline of the public outreach process and a list of stakeholders on the technical committee.
- Coordinate with Public Involvement Advisory Group (PIAG) to ensure that public outreach activities do not conflict to the extent possible.
- Organize a technical committee with ARC as an active member. GDOT, GRTA, County/Cities, and any Transit Operators should also sit on this committee with other key stakeholders.
- Notify ARC of all public activities. Give handouts and publications to the technical committee before the general public.
- Provide a summary of public outreach activities.

2.3 State

The Georgia Planning Act was adopted by the General Assembly in 1989 as a means to encourage better management of growth in the booming areas of the state while encouraging the less prosperous parts to avail themselves of opportunities for growth. The Act established a "bottom-up," comprehensive planning approach to be conducted at the local government level, then at the regional and state levels.

The Georgia Open Meetings Act was designed to ensure that the government makes decisions in an open manner where the public has the opportunity to be fully informed. The Open Meetings Act gives several requirements for the notice of public meetings. These include that each agency must prescribe a time, place and date of regular meetings of the agency. Such information should be available to the general public and a notice containing such information shall be posted and maintained in a conspicuous place available to the public at the regular meeting place of the agency. Whenever any meeting to be open to the public is to be held at a time or place other than at the time and place prescribed for regular meetings, the agency must offer a posting of a written notice for at least 24 hours at the place of regular meetings and give a written or oral notice at least 24 hours in advance of the meeting.

The Georgia Department of Transportation Office of Planning adopted a Public Involvement Plan that represents a conscious effort to create more proactive programs and initiatives that form additional partnerships and provide greater opportunities to involve citizens in transportation planning.

2.4 Federal

The Federal Highway Administration and Federal Transit Administration regulations provide clear guidance on metropolitan planning processes in 23 CFR 450. Specific reference to public involvement is made in section 450.322(c). It states that there must be adequate opportunity for public officials, elected officials, agency representatives, citizens and other interested parties to be involved in the development of the transportation plan. The procedures stipulate that



involvement take place in the early stages of the plan development process. The procedures also require publication and availability of the plan for public review and comment.

Executive Order 12898 defines Environmental Justice as the fair treatment and meaningful involvement of all people – regardless of race, ethnicity, income or education level. The law further states that each federal agency shall make achieving environmental justice part of its mission by identifying and addressing disproportionately high and adverse human health or environmental effects of its plans and programs on these populations.

3.0 Four-Step Public Involvement Process

The public involvement program for the Coweta County Joint CTP will be developed and implemented using a proven, 4-step process:

Step 1 Develop a set of specific goals for the Coweta County CTP public involvement plan.

Goal 1.	Public Awareness and Education. The County and the seven municipalities will seek to raise public awareness and understanding of the economic vitality, quality of life, residential/commercial land-use balance, and multi-modal transportation challenges of the Coweta County Joint CTP.
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Goal 2.	Public Input and Community Dialogue. The County and the seven municipalities will provide the public with early, ongoing, and meaningful opportunities for involvement in the Coweta County Joint CTP process.
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Goal 3.	Public and Stakeholder Outreach. The County and the seven municipalities will maintain timely contact with the general public, government agencies, business owners, and other key stakeholders throughout the planning process.
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Goal 4.	Environmental Justice. The County and the seven municipalities will identify and involve traditionally underserved communities (those with high concentrations of minority, low-income, elderly or disabled groups) in the transportation planning process.
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Step 2 Identify the people to be reached and assess their needs.

Individuals, families, commuters, business owners, and community leaders concerned about all aspects of the community including social, economic and transportation conditions in Coweta County, are obvious stakeholders of the project. To guide the public participation process, the County has identified the following list of potential stakeholders to provide input into the development of the Joint CTP:

General Description	Name of Group
Large Employers/ Business Interests	<ul style="list-style-type: none"> • K Mart Corporation • Newnan Hospital • Wal-Mart Associates • William L. Bonnell Co • Yamaha Motor Mfg Co • Newnan-Coweta Chamber of Commerce • Coweta County Convention & Visitors Bureau • Coweta County Development Authority • Coweta County Board of Education
Government Agencies	<ul style="list-style-type: none"> • Coweta County • City of Grantville • City of Haralson • Town of Moreland



General Description	Name of Group
	<ul style="list-style-type: none"> • City of Newnan • City of Senoia • Town of Sharpsburg • Town of Turin • Carroll County • Fayette County • Fulton County • Heard County • Meriwether County • Spalding County • Troup County • Atlanta Regional Commission (ARC) • Georgia Regional Transportation Authority (GRTA) • Georgia Department of Transportation (GDOT) • Chattahoochee-Flint RDC • Newnan Housing Authority • Senoia Housing Authority • Grantville Housing Authority
Transit Operators/ Rideshares/Vanpools	<ul style="list-style-type: none"> • Georgia Regional Transportation Authority (GRTA)
Environmental/Special Interest Groups	<ul style="list-style-type: none"> • Coweta County NAACP • Community Action for Improvement • Coweta County Senior Center • Rainbow Ministries • G-3 Communities
Historic Preservation Groups/Community Groups	<ul style="list-style-type: none"> • Newnan-Coweta Historical Society

This list is not all-inclusive. Stakeholder lists and potential issues will be further developed and addressed throughout the duration of the project.

Step 3 Determine the appropriate public involvement techniques.

After identifying key stakeholder groups, including the general public, the next step is to determine the appropriate public involvement techniques that meet the expectations of each stakeholder group. This matching of expectations and techniques is illustrated in the table below:

Stakeholder Category	Expectations	Appropriate Techniques
Very Engaged	<ul style="list-style-type: none"> ▪ Expect to participate in project decision-making 	<ul style="list-style-type: none"> ▪ Stakeholder Interviews ▪ Direct Mailings ▪ Public Meetings ▪ Public Comment Forms ▪ Fact Sheet/Brochures ▪ Website Page ▪ Media Outreach
Mobilized	<ul style="list-style-type: none"> ▪ Expect that you will listen to their issues ▪ Expect that you will stop or modify the project to deal with their issues 	<ul style="list-style-type: none"> ▪ Direct Mailings ▪ Public Meetings ▪ Public Comment Forms ▪ Fact Sheet/Brochures ▪ Website ▪ Media Outreach
Armchair	<ul style="list-style-type: none"> ▪ Expect to hear about the project through the "usual" channels 	<ul style="list-style-type: none"> ▪ Website Page ▪ Public Information materials



Stakeholder Category	Expectations	Appropriate Techniques
		▪ Media Outreach
Not Interested	<ul style="list-style-type: none">▪ Expect easy access to information▪ Expect you will come to them, if appropriate	▪ Media Outreach

The techniques vary in strengths, weaknesses, costs, and abilities to reach people. The most significant distinction between the techniques is whether it is used to *inform* or *involve* the public. When strategically combined into an overall project management plan, the result is a public involvement program that is broad and inclusive, seeks out the public and works hard to create forums for information exchange.

Step 4 Design and implement a Public Involvement Plan (PIP).

This PIP directly supports the goals of the project, includes techniques that are expected to engage and inform the general public and key stakeholders, and is flexible enough to respond to changes as the project develops.

The next section provides a detailed explanation of the selected public involvement techniques and is followed by an implementation schedule and performance measures for each major activity.

4.0 Public Involvement Techniques

4.1 Public Involvement Plan (PIP)

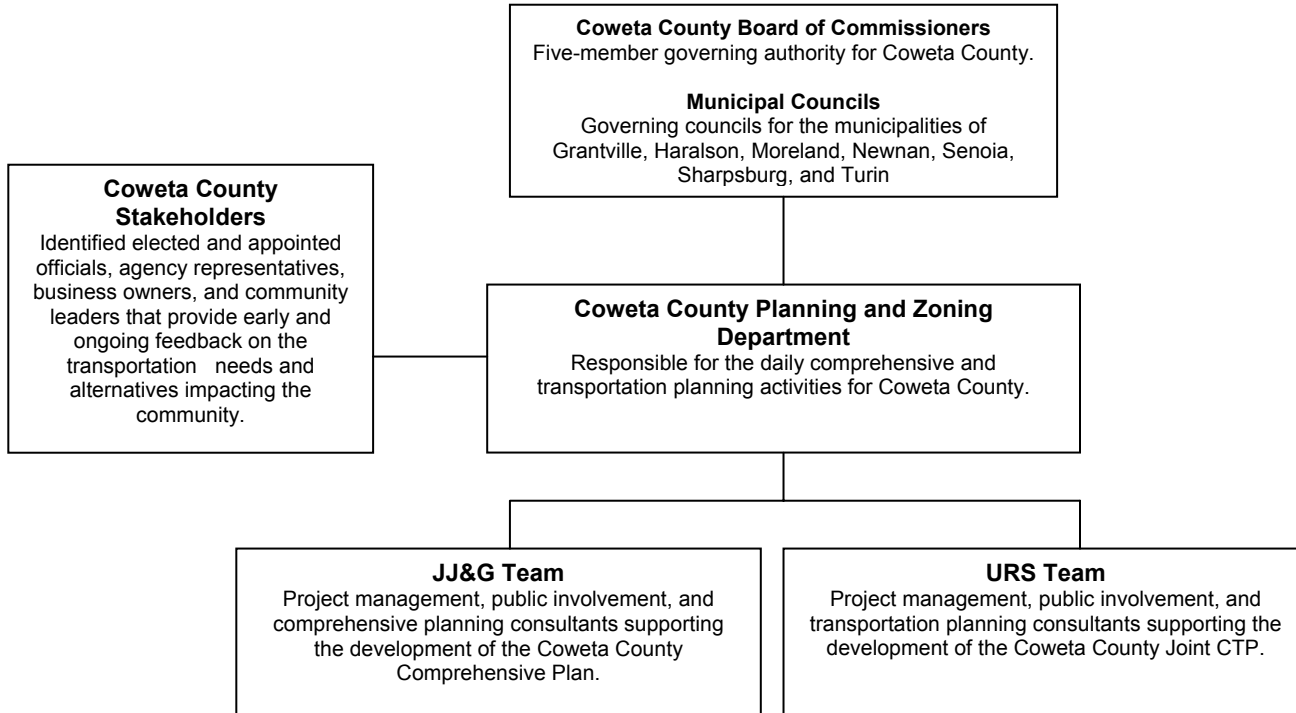
The PIP includes a project overview, discussion of public involvement policy requirements, a description of the systematic process for the development of the PIP, and identification of specific strategies and techniques for outreach to the general public, key stakeholders and environmental justice populations. The PIP also includes a schedule of public outreach activities and measures for evaluating project effectiveness. To assist in the development of the PIP, the consultant discussed the following issues with Coweta County staff:

- Overview of the transportation planning process
- Project decision-making structure
- Public involvement approach
- Specific public involvement strategies, tools, techniques
- Consensus and prioritization of most applicable public involvement strategies for the Coweta County Joint CTP



4.2 Agency Coordination

To develop the Joint CTP, the County created the following roles, responsibilities and team structure:



On behalf of the County, the consultant will coordinate with the public involvement representatives for major studies taking place within and around the County including the Coweta County Comprehensive Plan. The goal of the coordination would be to share overall project information, coordinate public meeting schedules, and ensure that the public does not experience “meeting overload” and/or confusion of project purposes, processes or sponsors. The consultant will work with County representatives to identify project contacts and establish a regular meeting schedule and/or mechanism for regular information sharing.

4.3 Stakeholder Committee

The Stakeholder Committee is the advisory group for the plan. It is comprised of 41 representatives from municipal and county governments and key organizations in Coweta County. The Committee will meet on a periodic basis during the project. The responsibilities of the Committee members are to:

- Attend committee meetings;
- Review information and provide input on plan process;
- Help build consensus on plan goals and issues; and
- Share information and promote awareness of the Joint CTP.

For each Committee meeting, the consultant will assist County staff in developing the agenda, attend and facilitate the meeting (through consensus-building and decision-making exercises), and provide meeting minutes and action items.



4.4 Stakeholder Interviews

The consultant will conduct stakeholder interviews with identified elected and appointed officials, agency representatives, and community leaders in Coweta County. By involving local groups on their own terms, the interviews will expand opportunities for community participation and help to develop a base of support for plan implementation. The consultant will assist in the development of a list of potential stakeholders and interview questions. The consultants will conduct assigned interviews and prepare a summary report for submittal to the County.

4.5 Newsletters

The consultant will produce three (3) newsletters/fact sheets of no more than 4 pages long at key project milestones. The newsletters will contain up-to-date project information and will help citizens understand how decisions are being made. The newsletters will be written in a clear, concise, and user-friendly language, and will be widely distributed to the project mailing list. The newsletters will contain information on what to do to respond, comment, get more involved, and get on the project mailing list for the Joint CTP project. Renderings, simplified diagrams, and other visual tools will be included in the newsletters to communicate information in different ways and increase understanding of technical information.

4.6 Project Mailing List

From the public meetings, interviews, existing mailing lists and other points of contact, the consultant will build a project mailing list in Microsoft Word or Excel format. The list will include individuals, communities, businesses, faith-based and environmental groups, and other interested parties for the Joint CTP.

4.7 Press Releases

The consultant will develop up to three (3) press releases up to 1-page in length that will announce major accomplishments or project events. The press releases will be distributed to a list of media contacts via fax and email. A list of potential media resources is provided in Appendix B.

4.8 Public Meeting/Open House

The consultant will facilitate a public open house meeting to:

- Inform interested stakeholders within the County of the purpose, schedule, and major tasks of the project; and
- Gather and document reactions to and concerns about the various transportation issues and recommendations.

The consultant will work in conjunction with the Comprehensive Plan consultant to develop a meeting plan prior to the public meeting that provides details on the meeting date, time, locations, purpose, format, agenda, layout, supporting materials, and staffing.

The consultant will develop a meeting agenda, distribute a press release announcing the meetings, assist the County in developing meeting materials (name tags, sign-in sheets, agenda, handouts, displays), facilitate the meeting and document public comments in a summary report.

Meeting Notification

The County will utilize the project mailing list to reach the general public. Direct mailings, flyers and email notices prior to each round of public meetings will be the primary mechanisms for



meeting notification. The County will update the project mailing list with information from sign-in sheets, stakeholder interviews, and other sources.

At a minimum, the County staff will notify the general public and planning partners about the meeting two (2) weeks prior to the scheduled meeting date.

Meeting Summary

Following the meeting, the consultant will prepare a summary of the meeting materials including public comments and questions.

4.9 Community Visioning Workshops

The consultant will present an overview of the project and facilitate break out sessions for the Community Visioning Workshop Meetings for the Comprehensive Plan and Joint CTP.

4.10 Public Comment Forms/Summary Reports

At the end of the project, to document the public involvement effort, the consultant will work with the County and the Comprehensive Plan consultant to prepare a Public Meeting Summary Report of all public involvement information, materials and public comments received from meeting attendees. The report will include an overview of public involvement and communication strategies, key findings and conclusions, and an appendix of public information materials.

5.0. Schedule

The anticipated project completion date is April 2006. The PIP will be implemented according to the following schedule:

Task	2005												2006			
	J	F	M	A	M	J	J	A	S	O	N	D	J	F	M	A
PIP						⊙										
Agency Coordination																
Stakeholder Committee Meetings					⊙	⊙			⊙				⊙			⊙
Stakeholder Interviews																
Newsletters								⊙			⊙		⊙			⊙
Project Mailing List																
Press Releases											⊙					⊙
Public Meeting/ Open House	⊙									⊙						
Community Visioning Workshops																
Public Comment Forms										⊙						
Meeting Summary Reports						⊙					⊙					⊙

6.0 Performance Measures

With input from the general public and other stakeholders, the County will systematically monitor and evaluate the effectiveness of the public involvement plan using applicable performance measures outlined in the table below:

Description	Quantitative	Qualitative
Public Involvement Plan		<ul style="list-style-type: none"> • Level of full and open access to all in Joint CTP transportation planning process • Timing of information about transportation planning issues/processes • Accessibility of technical and policy information • Timing of public notifications of meetings and public comment periods • Consideration of public input during the Joint CTP transportation planning process • Level of coordination with other major public involvement processes occurring adjacent to or within the project area.
Agency Coordination/ Stakeholder Committee and Interviews	<ul style="list-style-type: none"> • Number of participants • Number of issues identified by group • Number of issues addressed in plan 	<ul style="list-style-type: none"> • How stakeholders issues were addressed in Joint CTP • How agency representatives issues were addressed in Joint CTP
Newsletters/ Public Information Materials	<ul style="list-style-type: none"> • Number of newsletters/public information materials distributed 	<ul style="list-style-type: none"> • Quality of content for newsletters/public information materials • Availability of newsletters/public information materials • Timing of distribution of materials
Project Mailing List	<ul style="list-style-type: none"> • Number of names on mailing list • Description of diversity of mailing list 	
Press Releases	<ul style="list-style-type: none"> • Number of media contacts • Number of press releases distributed • Amount of media coverage 	
Public Meetings/Open House Community Visioning Workshops	<ul style="list-style-type: none"> • Number/type of public notifications • Number of attendees • Number of comments received • Number of comment responses • Number of avenues used to reach EJ populations • Frequency of contact 	<ul style="list-style-type: none"> • Public understanding of Joint CTP transportation planning process • Availability of educational opportunities • Timing of public involvement activities • How public input was used in Joint CTP plan development • Meeting convenience: time, place, and accessibility • Clarity of technical information and processes • Effectiveness of meeting format • Effectiveness of notification and communication tools
Public Comment Forms/ Summary Reports	<ul style="list-style-type: none"> • Number of comment forms distributed • Number of comments received 	<ul style="list-style-type: none"> • Quality of content for public comment form/summary reports • How public comments were addressed in Joint CTP

At the direction of the County and based on the performance of the PIP against these measures, the public involvement techniques will be modified and new techniques will be added to ensure early and ongoing opportunities for public participation.

7.0 Conclusion

Community-based planning will help to determine and address the effects of transportation actions and policies on communities in Coweta County. It will enable the County and the seven municipal governments within the County to incorporate community considerations such as land use, mobility, neighborhood cohesion, safety, and environmental and economic impacts into the planning and development of this multi-faceted transportation planning initiative. The County will document all aspects of the public involvement process to help maintain continuity and integrity in project decision-making. Most importantly, the County and the municipalities will work hard to generate public awareness, understanding and acceptance of the goals and strategic actions outlined in the Coweta County Joint CTP.

With this document, the specific public involvement techniques that will be used to engage all affected communities in the development of the Coweta County Joint CTP are explained. In summary, the PIP reflects the County's commitment to honesty and integrity throughout the planning process and active community participation. Coweta County and the municipalities of Grantville, Haralson, Moreland, Newnan, Senoia, Sharpsburg, and Turin look forward to sharing plan information with the general public and interested stakeholders, and creating a dynamic forum for public participation, planning and interagency collaboration.



APPENDIX A

I. Coweta County Commission

COWETA COUNTY COMMISSION PUBLIC MEETING RULES AND REGULATIONS RULES FOR REGULARLY SCHEDULED COMMISSION MEETINGS

The following rules are designed to promote a fair and open process for the administration of Coweta County Government.

1. Rules and Procedures will be announced at the beginning of each meeting.
2. All citizens addressing the Board (except at Public Comment Section) must request to be placed on the agenda and must make this request to the Commission Office by 12:00 Noon, Monday, (one week and one day) prior to the Tuesday meeting date.
3. A time restraint of three (3) minutes is placed on each instance with each instance limited to one issue. Piggyback speakers will not be allowed under the three (3) minute, one issue rule.
4. Every speaker will advise the Board on the issue furnished for Agenda purposes. Every speaker will be respectfully heard by the Board without public display or approval or disapproval from the audience.
5. The Public Comments Section of the Agenda is intended to allow audience comments on matters for discussion before the Board. These comments will be heard prior to consideration of the agenda item by the Board, thereby prohibiting discussion between the audience and the Board when that item is reached on the agenda. Each participant is limited to three (3) minutes per issue. Audience Participation Forms shall be completed and presented to either the Clerk or County Administrator prior to the beginning of the meeting.
6. While everyone has the right to disagree, members of the audience that are continually disruptive to and disrespectful of the purpose of the meeting, participants in the meeting, and each other are politely and respectfully urged to refrain from their actions or shall vacate the meeting.
7. Commissioners must yield the floor to the Commissioner speaking.
8. The Chair will have the prerogative to recognize any Commissioner wishing to bring an issue not on the agenda to the attention of the Board, and include it on the Supplemental Agenda.
9. The Chairman as presiding officer of the Commission may impose time limits and any procedures deemed necessary for the effective operation of the Commission.
10. The Commission Board will follow Robert's Rules of Order with the County Attorney serving as Parliamentarian.

Coweta County Commission
Public Meeting Rules and Regulations
Adopted April 2, 1991
Amended October 15, 1991
Amended January 4, 1994
Amended January 3, 1995
Amended January 6, 1998
Amended January 5, 1999
Amended September 7, 1999
Amended January 7, 2003



**COWETA COUNTY COMMISSION
PUBLIC MEETING RULES AND REGULATIONS
RULES FOR PUBLIC HEARINGS**

The following rules are designed to promote a fair and open process for the administration of Coweta County Government.

1. Rules and Procedures will be announced at the beginning of each meeting.
 2. The Chairman as presiding officer of the Commission may impose time limits and any procedures deemed necessary for the effective operation of the Commission.
 3. Anyone desiring to address the Board must complete an audience participation form and place it in the "Completed Forms Box" (located in the podium in the meeting room) to be recognized at the appropriate time.
 4. The Commission suggests that any group wishing to address the Board (*on matters other than Zoning issues*) designate a spokesperson to represent their views with a fifteen-minute time limit, or allow each member a three-minute time limit in which to address the Board.
 5. **On Zoning Issues**, anyone desiring to address the Board must complete an audience participation and financial disclosure form and place in the "Completed Forms Box" to be recognized at the appropriate time.
 6. **On Zoning Issues**, a minimum of ten minutes per side shall be afforded for presentation of data, evidence, and opinion by proponents and opponents of each zoning decision, and a five-minute rebuttal time limit for the applicant.
 7. **On Zoning Issues**, in the absence of the applicant at a Rezoning Public Hearing, after hearing from those present, the Public Hearing may be continued at another date for further information.
- Zoning Issues are further subject to the Coweta County Zoning Ordinance

Coweta County Commission
Public Hearing Rules and Regulation
Adopted April 2, 1991
Amended October 15, 1993
Amended by State Law 1996
Amended January 6, 1998
Amended January 3, 2002



Goals and Policies

CITIZEN PARTICIPATION

It is the goal of the Coweta County Commission to:

Provide efficient local government that is responsive to the needs of Coweta County residents.

As they work toward responding to residents' needs, the Commission agrees to exercise their powers to:

Assist and encourage citizen participation in the decision-making processes for issues affecting Coweta County residents.

To help achieve this objective, the Commission will, through all appropriate means:

Policies:

- Encourage the citizens of Coweta County to become familiar with current and long-range plans and their use.
- Encourage direct participation of citizens in the local decision-making processes.
- Promote and support the establishment of neighborhood and community citizen organizations.
- Support and encourage the holding of local public informational meetings in a variety of locations on neighborhood, community and county issues.

In order to provide efficiency in government cooperation, the Commission agrees to exercise their power to:

Encourage an expanded, formal mechanism for intergovernmental cooperation and coordination involving the several governmental units in Coweta County.

To help achieve this objective, the Commission will, through all appropriate means:

Policies:

- Work to establish equitable agreements between the several governmental units to provide for mutual participation in providing public facilities.
- Maximize the use and support of the Chattahoochee-Flint Regional Development Center for matters requiring or appropriate for intergovernmental cooperation and mutual assistance.

ECONOMY

It is the goal of the Coweta County Commission to:



II. Town of Turin

Procedures for Public Hearing

The Mayor, (or the Mayor's designee) of the Town of Turin, Council shall open the hearing with an explanation of the purpose of the hearing and a description of the general rules for the conducting of the hearing. The Mayor or the Mayor's delegate may describe the authority and role of the council in any zoning decision. The Mayor or the Mayor's delegate shall chair the hearing and shall determine the relevance of any proposed comment or presentation to the Council in the hearing and is authorized to rule any individual or a portion of a presentation out of order if not relevant to the published purpose of the hearing. Any person addressing the Mayor and Council shall respond to questions by the Mayor and the Town Council. Remarks shall be made to the Mayor only and not to other members of the council or audience. Any portion of allotted time unused by either the applicant or opponent shall not invalidate any proceedings or action taken on the proposed amendment. The following rules of procedure govern the Public Hearing on rezoning or similar matters (special uses) before the Town of Turin Council. These rules apply to all such public hearing items appearing on any agenda.

1- Procedures relating to application, notice, and advertisement of items on

The public hearing agenda shall conform to the requirements of Georgia law and the Town of Turin Codes.

2- Exercise of the zoning power shall conform to the standards expressed in the Town of Turin Zoning Ordinance, as most recently amended, as well as with the Comprehensive Land Use Plan.

3- The Secretary to the Planning Commission shall provide a limited number of copies of the policies required by O.C.G.A. s36-66-1 et seq., which copies shall be available on request to interested members of the public.

4- Individuals desiring to address the Mayor and Council regarding an agenda item are required to contact the Town Clerk. Applicants and/or proponents of an item on the public hearing agenda shall be heard first and shall have a maximum of ten minutes in which to present any information pertinent to the issue to be decided. Failure of the applicant or his/her representative to be present for the hearing shall result in automatic termination of any proceedings on the amendment by the Planning



III. **Town of Sharpsburg**

Subject Matter: Council Meeting Procedures____

Date First Presented at Council Public Meeting: December 1, 2003

Date of Second Reading and Adoption: January 5, 2004

**TOWN OF SHARPSBURG
COUNTY OF COWETA
STATE OF GEORGIA**

ORDINANCE NUMBER 04-01

TOWN OF SHARPSBURG, GEORGIA

PREAMBLE FINDINGS OF FACTS

WHEREAS, well-organized meetings allow the Mayor and Council to reach decisions in a fair and consistent manner; and

WHEREAS, efficiency is served when the process of planning for and conducting public meetings is clearly stated and understood by public officials and citizens; and

WHEREAS, public participation and access to the governmental decision making process is a key element of our democratic system.

WHEREFORE THE MAYOR AND THE COUNCIL OF THE TOWN OF SHARPSBURG HEREBY ORDAINS THE FOLLOWING ORDINANCE AS FOLLOWS:

ARTICLE I

**Section 1-1
Open Meetings**

All meetings of the Mayor and Council shall be held in accordance with the provisions of § 50-14-1 *et seq.* of the Official code of Georgia Annotated.

**Section 1-2
Executive Sessions**

Executive sessions of the Council may be held for the purpose of discussing topics exempted from public access requirements by § 50-14-2 and § 50-14-3 of the Official Code of Georgia Annotated.

(a) Non-Exempt Topics. If a Council Member attempts to discuss a non-exempt topic during an executive session, the Mayor shall immediately rule that Council Member out of order and such discussion shall cease. If the Council Member persists in discussing the non-exempt topic, the Mayor shall adjourn the meeting immediately.

(b) Procedure For Entering Into Executive Sessions. No executive session shall be held except pursuant to a majority affirmative vote of the Council Members taken in a public meeting. The minutes of the public meeting shall reflect the names of the Council Members



present, those voting for the executive session, and the specific reasons for the executive session. All votes on items discussed in executive session shall be taken in an open meeting.

(c) Executive Session Minutes.

(1) Executive Sessions Discussing Real Estate Acquisition. Minutes of an executive session in which the acquisition of real estate is discussed shall be taken in the same manner as minutes of an open meeting and available for public inspection except that portion of the minutes identifying the real estate shall be redacted until such time as the acquisition of the real estate has been completed, terminated, abandoned or until court proceedings have been initiated.

(2) Other Executive Sessions. Minutes of executive sessions devoted to any topic other than land acquisition may be maintained by the Clerk at the direction of the Mayor. Any such minutes shall be maintained in a confidential file and shall not be subject to disclosure, except that disclosure of such portions of minutes identifying real estate to be acquired by the Council may only be delayed until such time as the acquisition of the real estate has been completed, terminated or abandoned or court proceedings have been initiated.

(d) Mayor and Presiding Officer Affidavit. The Mayor or other presiding officer shall execute an affidavit stating, under oath, that the executive session was devoted to topics exempt from the public access requirements. The affidavit shall include the specific exemption to the open meetings law. The affidavit shall be notarized and filed with the minutes of the open meetings.

**Section 1-3
Visual and Sound Recordings**

Visual, sound and visual and sound recordings shall be permitted for all public hearings.

**Section 1-4
Quorum**

A quorum must be present for conducting meetings of the Council. Three Council Members or the Mayor and two Council Members shall constitute a quorum and shall be authorized to transact business of the Town Council. It is the duty of the Mayor to enforce this rule. Any Council Member may raise a point of order directed to the Mayor if he or she believes that a quorum is not present. If, during the course of a meeting, a Council Member or Council Members leave and a quorum no longer exist, the meeting may not continue. If a quorum is not attained within thirty minutes, the meeting may be rescheduled by the Mayor with the approval of the Council Members present.

**Section 1-5
Mayor**

The Mayor, as presiding officer, is responsible for the orderly conduct of the meeting. In order to fulfill this duty, the Mayor shall enforce the rules of procedure that are adopted by the Council Members. The Mayor shall be impartial and conduct the meetings in a fair manner. The Mayor may not introduce motions or second motions except that the Mayor may introduce or second a motion to go into executive session as authorized by this ordinance. The Mayor may vote on all Town matters.



**Section 1-6
Organizational Meeting**

The Town Council shall meet for organization on the first Monday in January following the municipal election. The meeting shall be called to order by the Town Clerk and the oaths of office shall be administered to the newly elected Members. Following the induction ceremonies of the new Members, the Council by majority vote shall elect one of their Members to be Mayor Pro-Tem. Said Mayor Pro-Tem shall serve for a term to coincide with the term for which the mayor and Town Council were elected or until his successor is elected and qualified. The Mayor Pro-Tem shall fulfill the duties of the Mayor if the Mayor is not in attendance.

**Section 1-7
Presiding Officer**

If the Mayor and the Mayor Pro-Tem are absent or otherwise unable to serve as presiding officer at a meeting a quorum of Council Members is present, the remaining Council Members shall select a Council Member to serve as presiding officer of the meeting until either the Mayor or Mayor Pro-Tem is present at the meeting.

**Section 1-8
Parliamentarian**

The Town Clerk shall serve as the parliamentarian for the Council meetings.

**Section 1-9
Amendments to the Rules**

Any amendments to the rules of order shall be submitted by a Council Member in writing to the Town Clerk three business days before a regular meeting of the Council. The proposed amendment shall be included in the agenda for that meeting and distributed to all Council Members. All amendments require a two-thirds vote of the Council to be adopted.

**Section 1-10
Suspending the Rules of Order**

Rules of order may be suspended in the case of an emergency. A motion to suspend the rules requires a second, is debatable, and requires a two-thirds vote of the Council. Rules governing quorums, voting methods and requirements, the notification to Council Members of meetings and rules necessary for compliance with state law may not be suspended; provided, however, that in the event that a state of emergency is declared by the Governor or other authorized state official, the Council may waive time-consuming procedures and formalities imposed by state law.

**Section 1-11
Regular Meetings**

Regular meetings of the Mayor and Council shall be held at 7:00 p.m. on the first Monday of each month. All regular meetings shall be held in the A&O Bridges Community Center in Sharpsburg. A notice containing the foregoing information shall be posted and maintained in a conspicuous place available to the general public at the regular meeting place of the board.



Section 1-12 Meetings and Rescheduled Regular Meetings

The Mayor and Council may meet at times and locations other than those regularly scheduled meetings.

(a) Special Meetings and Rescheduled Regular Meetings. A regular meeting may be canceled for any reason. Other special meetings may be scheduled by the Mayor or at the request of at least two Council Members. Whenever a rescheduled regular meeting or any other special meeting is to be held at a time or place other than the regularly scheduled time or place, written notice of the change shall be posted for at least 24 hours at the regular meeting place. In addition, written or oral notice shall be given by the Town Clerk at least 24 hours in advance of the meeting to either the legal organ of the county or a newspaper having general circulation at least equal to that of the legal organ, as well as to each Member of the Town governing authority.

(b) Meetings With Less Than 24 Hours Notice. When emergency circumstances occur, the Council may hold a meeting with less than 24 hours notice to the public. When such meetings are to be held, the Town Clerk shall provide notice to the legal organ of the county or a newspaper with a general circulation at least equal to that of the legal organ and to each Member of the Council as soon as possible. The notice shall include the subjects expected to be considered at the meeting. In addition, the minutes shall reflect the reason for the emergency meeting and the nature of the notice given to the media.

(c) Meetings During a State of Emergency. When it is imprudent, inexpedient or impossible to hold Council meetings at the regular meeting place due to emergency or disaster resulting from manmade or natural causes, as declared by the Governor or other authorized state official, the Council may meet anywhere within or outside of the county. Such a meeting may be called by the Mayor or by any two Council Members. At the meeting, the public business may be transacted during the emergency. Any action taken in such meetings shall have the same effect as if performed at the regular meeting site.

Section 1-13 Order of Business

All regular Council meetings shall substantially follow an established order of business. The order shall be as follows:

- I. Call to order
- II. Minutes
- III. Invited guests
- IV. Reports from committees and departments
- V. Consent agenda (if used)
- VI. Business
- VII. Public Comments
- VIII. Adjournment

Section 1-14 Agenda

The Town Clerk, with the advice of the Mayor and Council, shall prepare an agenda of subjects to be acted on for each meeting. The agenda shall be made available to the Council Members at least one business day before every Council meeting.



(a) Requests For Agenda Items. Members of the public may request that a particular subject be placed on the agenda for a meeting. To be considered, this request shall be submitted in writing to the Town Clerk and received at least three business days before the meeting or the agenda work session.

(b) Changing The Agenda. The order of the agenda may be changed during a meeting at the discretion of the Mayor. A new item, other than a zoning decision, may be added to the agenda by a majority vote of the Council only if it becomes necessary to address the item during the meeting.

(c) Agenda Must Be Made Public. The agenda of all matters to come before the Council shall be made available to the public upon request and shall be posted at the meeting site as far in advance as reasonably possible, but not more than two weeks prior to the meeting.

Section 1-15 Consent Agenda

A consent agenda may be prepared by the Town Clerk for the Council to unanimously adopt motions on routine items. Any items of business that are expected to receive unanimous approval without debate may be placed on a consent agenda. At the appropriate time of the meeting, the Mayor shall read all of the items on the consent agenda. If a Council Member objects to an item being on the consent agenda, the Mayor shall move that particular item to the regular agenda. Following the reading of the consent agenda, the Mayor may ask for unanimous approval of the items on the consent agenda. If there are no objections, all the items on the consent agenda shall be approved by a majority vote of the Council.

Section 1-16 Decorum

All Council Members shall conduct themselves in a professional and respectful manner. All remarks shall be directed to the Mayor and not to individual Council Members, staff or citizens in attendance. Personal remarks are inappropriate and may be ruled out of order. A Council Member may not speak at a meeting until he or she has been recognized by the Mayor. All comments made by a Council Member shall address the motion that is being discussed. Council Members must motion for recess if they want to confer with another Council Member or Mayor. The Mayor shall enforce these rules of decorum. If a Council Member believes that a rule has been broken, he or she may raise a point of order. A second is not required. The Mayor may rule on the question or may allow the Council to debate the issue and decide by majority vote.

Section 1-17 Voting

Passage of a motion shall require the affirmative vote of a majority of Council Members present and voting at a meeting at which a quorum is present. Unless otherwise specified in these procedures, a majority shall mean at least one-half of the Council Members present plus one Council Member, excluding abstentions. When a two-thirds majority is specified, a majority vote shall mean at least two-thirds of the Council Members present excluding abstentions.



Section 1-18 Abstentions

A Council Member shall vote on all motions unless he or she has a conflict of interest preventing him or her from making a decision in a fair and legal manner. If a conflict of interest does exist, the Council Member shall explain for the record his or her decision to abstain on any vote.

Section 1-19 Public Participation

Public participation in meetings of the Mayor and Council shall be permitted in accordance with the provisions of this section.

(a) Public Comments. The final agenda item of the meeting shall be reserved for comments from the public. All members of the public wishing to address the Council shall submit their name and the topic of their comments to the Town Clerk at least three business days before Council meeting; provided, however, that if the individual wishes to oppose a rezoning action and has contributed more than \$250 to the campaign of a Council Member, the individual shall file a campaign disclosure form as required by O.C.G.A. § 36-67A-3 at least five calendar days prior to the first hearing by the Council Members. Individuals may be allotted five minutes to make their comments and those comments shall be limited to their chosen topic. These limits may be waived by a majority vote of the Council.

(b) Public Participation on Agenda Items. By a majority vote, the Council may allow public comment on an agenda item at the time the item is being considered by the Council. These comments shall be limited to the subject that is being debated. Members of the public may speak for five minutes and may speak only once. These limits may be waived by a majority vote of the Council. Anyone wishing to speak at any Council meeting must be recognized by the Mayor before addressing the Council.

(c) Decorum. Members of the public shall not make inappropriate or offensive comments at a Council meeting and are expected to comply with the rules of decorum that are established for Council Members. Individuals violating any rules of the Council may be ruled out of order by the Mayor or on a point of order made by a Council Member. A majority vote of the Council shall rule on the point of out of order. An individual violating the rules of decorum may be removed from the meeting at the direction of the Mayor.

(d) Public Hearings. The Council may schedule public hearings for the purpose of soliciting public comment on any subject of interest to the Council. Hearings may be held immediately prior to, during or following a meeting of the Council or at such other places and times as the Council may determine. Hearings require at least 10 minutes per side. No official action shall be taken at any such public hearing. Hearings on zoning decisions shall be governed in accordance with the zoning policies and procedures.

Section 1-20 Meeting Summary

A summary of the subjects acted upon in a meeting and the names of the Council Members present at a meeting shall be written and made available to the public for inspection within two business days of the adjournment of the meeting.



Section 1-21 Minutes

The Town Clerk shall promptly record the minutes for each Council meeting. The minutes shall specify the names of Council Members present at the meeting, a description of each motion or other proposal made at the meeting, the name of the Council Member who proposed each motion, the name of the Council Member who seconded each motion, and a record of all votes.

In the case of a roll call vote, the name of each Council Member voting for or against a proposal shall be recorded. It shall be presumed that a Council Member has voted in the affirmative unless the minutes show otherwise. More detailed information may be included in the minutes at the request of the Council. The Council shall approve the minutes before they may be considered as an official record of the Council. The minutes shall be open for public inspection once approved as official by the Council but in no case later than immediately following the next regular meeting of the Council. A copy of the minutes from the previous meeting shall be distributed to the Council at least one business day before the following meeting. The minutes of the previous meeting shall be corrected, if necessary, and approved by the Council at the beginning of each meeting. A majority vote is required for approval. Conflicts regarding the content of the minutes shall be decided by a majority vote. Upon being approved, the minutes shall be signed by the Town Clerk.

Section 1-22 Committees

The Mayor, with the concurrence of the Council, may create committees of members of the Council to study any issue before the Council. Any such committees may make recommendations to the Council Members but no committee shall be empowered to make any final decision on any matter before it for consideration. In addition to Council Members, committees may include other officials, staff or citizens at large. Whenever a committee is created, its duties, limitation on the scope of its duties, and the times, places, and periods of time for which the committee may operate shall be determined by the Mayor with the concurrence of the Council. The Mayor shall serve as an ex officio member of all committees. Committee meetings shall be open to the public and shall comply with the requirements of this meeting organization ordinance and state law.

ARTICLE II

This Ordinance shall be Codified at Chapter One, of the Town's Code of Ordinances entitled: "Council Meeting Procedures."

Ordained by the Mayor and Council of the Town of Sharpsburg, this the 5th day of January, 2004 by the following voting for adoption.

ARTICLE III

Any ordinance or part of any ordinance in conflict herewith is hereby repealed.

ARTICLE IV

If any section, subsection, sentence, clause, phrase, or other portion of this ordinance for any reason is held invalid or unconstitutional by court of competent jurisdiction, such portion shall be deemed as a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portion hereof.



IV. Grantville, Haralson, Moreland, Newnan and Senoia

Coweta County and all seven municipalities within the project area follow Georgia's Sunshine Laws as they relate to public involvement. However, Grantville, Haralson, Moreland, Newnan, and Senoia are not required to follow additional regulations that guide public involvement. An overview of the Sunshine Laws is provided below. The full text of the laws may be obtained from the Office of the Georgia Attorney General.

A Citizen's Guide to Open Government

Georgia has a long and proud tradition of encouraging openness in governmental meetings and records. As Chief Justice Weltner stated in the case of *Davis v. City of Macon*: "Public men and women are amenable 'at all times' to the people, they must conduct the public's business out in the open."

A democratic government assumes that those who elect public officials will have free access to what those public officials are doing. Access to government meetings and records provides citizens with the information they need to participate in the democratic process and to insist that government officials are held accountable for their actions. Justice Brandeis once said, "Sunlight is the best disinfectant."

Principles of openness in government are found in the Constitution of Georgia, the common-law of the State of Georgia, and our state statutes. The two Acts that apply to most meetings and records are known as the "Sunshine Laws." These consist of the Open and Public Meetings Act (O.C.G.A. §§ 50-14- 1 through 6) and the Open Records Act (O.C.G.A. §§ 50-18-70 through 76). Complete copies of these statutes are found in the Appendices to this booklet.

The starting place under Georgia law for citizens seeking to attend meetings of governmental bodies or to inspect governmental records is the presumption that the meetings and records are open. For instance, O.C.G.A. § 50-14-1 (b) states: "Except as otherwise provided by law, all meetings . . . shall be open to the public . . ." Similarly, O.C.G.A. § 50-18-70(b) provides: "All public records . . . except [as otherwise provided] shall be open for a personal inspection by any citizen of this state at a reasonable time and place; and those in charge of such records shall not refuse this privilege to any citizen." The Attorney General has, historically, helped citizens enforce their rights under the Sunshine Laws and has issued numerous opinions concerning them. In 1998, the General Assembly of the State of Georgia amended both the Open Meetings Law and the Open Records Law to give the Attorney General specific authority to enforce the Sunshine Laws (O.C.G.A § 50-14-5 and § 50-18-73, as amended) in his discretion. The purpose of this booklet is to provide a brief, general and non-technical discussion of Georgia's Sunshine Laws, so that the citizens of Georgia may better participate in open government.

SUNSHINE LAWS

Both the Open Meetings Law and the Open Records Law apply to all entities which are an "agency" of the state or local government in Georgia. In addition, the Public Records Law applies to associations whose members are themselves "agencies" if the association itself receives a substantial part of its budget from agencies.

The term "agency" is broadly defined in O.C.G.A. § 50-14-1(a)(1) to include the following:

- Every state department, agency, board, bureau, commission, public corporation, and authority;
- Every county, municipal corporation, school district and other political subdivision;
- Every department, agency, board, bureau, commission, authority and similar body of each county, municipal corporation or other political subdivision of the state;
- Every city, county, regional or other authority established pursuant to state law; and;



- Non-profit organizations that receive more than one-third of their funds from a direct allocation of state funds from the governing authority of an agency.
- All private entities that carry out governmental functions are subject to the Sunshine Laws.

OPEN RECORDS

A. What Records Are Available To The Public?

Georgia's Open Records Law provides the public with broad access to governmental records and documents. The public has a right to see, inspect and copy all "public records." "Public records" are broadly defined to include the following:

- Documents;
- Papers;
- Letters;
- Maps;
- Books;
- Tapes;
- Photographs;
- Computer-based or generated information; and
- Similar material prepared and maintained or received in the course of the operation of a public office or agency.

Public records also include records received or maintained by a private person, firm, corporation or other private entity in the performance of a service or function for or on behalf of a public office or agency, unless the records are otherwise protected by specific statute or court order from disclosure.

The Law specifically designates "computer records" as public records subject to the Law. The Open Records Law mandates that if a county maintains a computerized index of county real estate deed records, the index must be printed and made available for public inspection no less than every 30 days. And, courts have held that government may not keep details of litigation settlements secret.

The Law mandates that public records be available to "any citizen of this state" and must be available to non-residents as well.⁷ It is irrelevant what the purpose of a particular request is. However, a party to a proceeding governed by the Georgia Administrative Procedures Act may not employ the Open Records Law to access public records pertaining to the proceeding without the prior approval of the presiding administrative law judge.

B. The Open Records Process

Open records requests may be made to any custodian of the desired records. A written request is not required, but is advisable to eliminate any dispute as to what was requested or when the request was made.

The records custodian is allowed a "reasonable amount of time" to determine whether the records requested are subject to access under the Law. However, the custodian must respond to all requests within three business days.

If the records exist and are subject to inspection but are not available within three business days, a written description of such records and a timetable for their inspection and copying must be provided within that time period. Records maintained by computer shall be made available where practicable by electronic means, including Internet access, subject to reasonable security restrictions preventing access to nonrequested or nonavailable records.



If access to a record is denied in whole or in part, the records custodian must provide in writing the specific legal authority exempting such record from disclosure.



C. Appropriate Fees for Copies of Records

Public agencies may charge a reasonable fee for copying public documents but usually may not charge more than 25¢ per page. Agencies may also charge those requesting documents for search, retrieval and other administrative costs. Hourly charges for administrative tasks may not exceed the salary of the lowest paid, full-time employee who, in the discretion of the custodian of the records, has the necessary skill and training to perform the request. No charge may be made for the first quarter hour of administrative time. And, agencies must provide copies of the requested documents “in the most economical means available.” The Georgia Supreme Court has held that no fee may be charged when a person seeks only to inspect records that are routinely subject to public inspection, such as deeds, city ordinances and zoning maps. An agency also may not charge for time its attorneys spend advising whether records should be disclosed.

D. Penalties for Non-Compliance

Anyone who "knowingly and willfully" fails or refuses to timely provide access to records not subject to exemption is guilty of a misdemeanor punishable by a fine not in excess of \$100.00.

Any person, firm, corporation, or other entity may bring a civil action to enforce compliance with the Law. Moreover, the Attorney General may bring a civil or criminal action to enforce compliance with the Law, and may participate administratively to resolve an open government dispute.

OPEN MEETINGS

Georgia's Open Meetings Law requires that state and local governmental bodies conduct their business so citizens can review and monitor their elected officials and others working on their behalf. The Law requires that government meetings be open to the public. The Law also requires governmental bodies to provide reasonable notice of all meetings.

A. What Meetings Are Open?

Because of the Open Meetings Law, each of the following must transact business in the open:

- City councils;
- County commissions;
- Regional development authorities;
- Library boards;
- School boards;
- Commissions or authorities, such as hospital authorities, established by state or local governments;
- Planning commissions;
- Zoning boards;
- Most committees of the University System of Georgia (such as those involving grievances, disciplinary matters, athletic matters and other student-related matters not specifically related to education); and
- Non-profit corporations operating public hospitals.

In short, the Law applies to nearly every group that performs any function of a government entity. Very few governmental bodies are exempt from coverage. The following, however, are not covered by the Sunshine Laws: The Georgia General Assembly or its committees (although, under the State Constitution, legislative sessions must be open to the public); and Judicial proceedings including judicial branch agency and committee meetings (although under State and Federal constitutional law, most court proceedings must be open to the public).



B. What Actions Are Open To The Public?

Most meetings of entities covered by the Law must be open to the public. Whenever a quorum of the members of an agency (again, broadly defined) meets for the discussion or presentation of official business or policy or takes official action, the meeting must be open to the public. This means public officials may not exclude the public from fact-finding and purely deliberative sessions simply because no final action is taken or anticipated. Even meetings conducted by telephonic conference must be open.

Courts have held that committee meetings relating to policy or official business must be open to the public. The courts have also stated that a committee need not be exclusively composed of members of the agency to be deemed an "agency" subject to the Law. Any official action of any type taken at a meeting which is not open is invalid, and may be set aside if an action is brought promptly.

Although some law enforcement meetings and some meetings involving personnel discussions are exempt from the Law, the Law does not generally exempt agency adjudicative sessions. It also does not exempt budget sessions, coroner's inquests or meetings regarding business or industry relations, federal programs, financial data, gifts, trusts, honorary degrees, licensing examinations, negotiations, collective bargaining of public employees, national or state security (subject to the law enforcement exemption), or student discipline and other student -related matters, not specifically related to education. Federal and state laws, however, prohibit disclosure of the identity of students in certain instances.

The Open Meetings Law provides exceptions for certain closed meetings and some confidential actions. The most commonly used exceptions are for personnel matters (but only for discussion and deliberation, not votes); attorney -client discussion of actual suits or claims; and acquisition of real estate. Agencies may also close a meeting for the discussion of matters made confidential by statutes other than the Open Meetings Act.

C. How Should Government Provide Access?

The public must be given full access to all open meetings and may make video and audio recordings of all open meetings. In addition to mandating open meetings, the Law requires that agencies provide notice to the public in advance of all meetings, even emergency meetings. That means agencies must make information available to the general public by posting a notice containing the information in a conspicuous location at the agency's regular meeting place. The notice must do more than simply meet the technical requirements of the Law. It must be sufficient to reasonably apprise a concerned party of an upcoming meeting and must not be misleading.

Meetings that are not held at the regularly posted time and place require more rigorous notice procedures. Agencies must give "due notice" of all such special or emergency meetings held at a time or place other than at the time and place prescribed for regular meetings. Such notice includes the posting at least 24 hours in advance, at the regular meeting place and oral notification to the newspaper which serves as the legal organ for the county. In counties where the legal organ is published less than four times a week, due notice also requires that notice be given to any local media outlets that make a written request to be so notified. Such outlets must be notified at least 24 hours in advance of the called meeting. In those rare circumstances where a meeting must be held upon less than 24 hours notice, either the county's legal organ or a newspaper having a circulation at least as high as that of the legal organ must be notified.

Prior to all meetings, including emergency meetings, the agency holding such meetings must make an agenda of all matters expected to be considered available upon request and must post the agenda at the meeting site as far in advance as possible within two weeks prior to the meeting.



Minutes of all public meetings must be kept in writing and made available to the public for inspection no later than immediately following the next regular agency meeting. Such minutes must contain, at a minimum, the names of the members present at the meeting, a description of each motion or other proposal made, and a record of all votes. These minutes are subject to the Open Records Law after approval, unless voluntarily released before approval.

D. Penalties for Non-Compliance

Anyone who “knowingly and willfully” conducts or participates in a meeting without complying with every part of the Law is guilty of a misdemeanor punishable by a fine not in excess of \$500. Additionally, public officials who participate in closed meetings in violation of the Law can be subject to recall. In addition, failure to give adequate notice can result in the invalidation of the proceedings, the issuance of legal injunctions and the requirement to pay the objecting party’s legal costs. Moreover, the Attorney General may bring a civil or criminal action to enforce compliance with the Law.

Lastly, the Law does not require that any meetings be closed. Agencies may close meetings only as permitted by a specific exemption provided by law. A meeting may not be closed to the public except by a majority vote of those agency members present. That portion of a meeting prior to closure by majority vote must be open to the public. An agency must state the specific reasons for closure of the meeting in the official minutes and the person presiding over such meeting must execute a notarized affidavit stating under oath that the closed portion of the meeting was devoted to matters within the exceptions provided by law and must identify the specific relevant exception.

CONCLUSION

It is the public policy of Georgia that all agencies of our State should conduct business in the open and employ records that are available to every citizen. Experience has shown that openness is the best policy in government, both to help assure honest and forthright decisions by governmental officials, and to continue the perception that governmental decisions are made in the brightness of Georgia’s sunshine.

APPENDIX B

Media Resource List

TYPE	MEDIA RESOURCE
Newspapers	Atlanta Journal Constitution
	Atlanta Good Life (African-American magazine)
	Creative Loafing
	Associated Press
	Atlanta Business Chronicle
	Atlanta Daily World (African-American publication)
	Atlanta Inquirer
	Atlanta Voice
	Atlanta Latino (Hispanic)
	Mundo Hispanico (Hispanic)
	The Gazette
	The (Newnan) Times-Herald
	Nuestro Semanario (Hispanic)
	Nuevo Impacto (Hispanic)
	La Vision de Georgia (Hispanic)
Cable Television	News Channel 9 (Coweta County Schools)
	Cable Channel 10 (Newnan Utilities)
Network Television	WAGA Fox 5 -Fox News
	WABE
	Good Day Atlanta
	The Georgia Gang (Political Commentary)
	WATC -Independent
	WATL
	WGCL-TV 46 -CBS
	WGTV GA Public TV -Georgia Week in Review
	WHSG -TBN -Atlanta This Week
	WSB-TV-ABC -People to People
	WUPA TV -UPN -Focus Atlanta
	WXIA-NBC
	WGST -TV
	WXIA 11 Alive News
	Radio
WRAS - Alternative (Georgia State University)	
WWBM - Asian	
WABE - Classical	
WZGC - Adult Hits	
WVFJ - Christian Contemporary	
WSTR - Top 40	
WLTM - Adult Contemporary	
WKLS - Classic Rock	
WVWA - Spanish	
WPZE - Gospel Music	
WMGP - Top 40	
WSB - Adult Contemporary	
WNNX - Alternative	
WWWQ - Top 40	
WKHX - Country	
WVEE -Urban Contemporary	
WALR - Urban Contemporary	
WBZY - Alternative	
WHAT - Hip Hop	
WGST - News/Talk	
WVCC - Talk	
WMLB - Nostalgia	
WNEA - Gospel Music	
WCOH - Country	