

Editorial

THEIR VIEW

10 lessons for open meetings

"I think heroic deeds were all conceived in the open air."

The quote atop this editorial is from Walt Whitman's Song of the Open Road — a cheerful 1856 tribute to freedom and the great outdoors.

Hopefully, Mr. Whitman would have approved use of his prose to promote open, well-aired government. It's unlikely the great poet favored government secrecy and closed-door meetings. He also wrote, "Out of the dark confinement, out from behind the screen!"

For today's purposes, Whitman's "screen" represents the executive session — a self-important term for a classic oxymoron: closed public meeting.

Too many elected boards seek every opportunity to meet out of sight of the public they serve. Some schedule executive sessions as a regular agenda item. Some hold up to three executive sessions in a single meeting. Some have executive sessions that last longer than the open portion of their meeting.

In most cases, executive sessions do not violate open meeting laws. The closed-door discussions are often suggested or encouraged by an elected board's legal counsel.

But legality and necessity are two different things.

Consider the following list our Fourth Estate counsel to county commissions, city councils, and school boards everywhere on executive sessions and general government openness. Citizens should hold their elected officials to the standards below. These are Ten Commandments for Open Meetings:

ONE: Do not gather as a quorum outside of regular meetings, and do not hold special meetings without giving at least 24 hours public notice.

TWO: Do not habitually add last-minute items to the agenda, and do not act on anything not listed on the posted agenda.

THREE: Do not abuse the litigation excuse for executive sessions to speculate about possible or imagined lawsuits.

FOUR: Do not stretch the personnel excuse for executive sessions to discuss policy issues. Example: Creating a new position or changing a department's job descriptions are policy decisions and not appropriate topics for a closed meeting.

FIVE: Do not dial up the "negotiations" excuse to suddenly exclude the public from discussion of controversial issues that were previously aired thoroughly in open session.

SIX: Do not allow executive session conversations to stray to other topics.

SEVEN: Do not violate the spirit of the open meeting law with frequent phone, email or text dialogues with other members. Reach consensus at the meeting.

EIGHT: Do not make a habit of whispering or passing notes at meetings. You were elected to speak for us. Tell what you have to say out loud and proud!

NINE: Allow public input at every meeting. Include it on every agenda.

TEN: Be as transparent as possible. Do not hold executive sessions simply because counsel advised it is "legal" to do so. Ask yourself: "Is it absolutely critical we discuss this privately?"

That should be the standard because legality and necessity are two different things.

We appreciate our local commissioners and board members. They serve for minimal compensation. They make tough decisions. They sometimes lose friends and make enemies. Their dedication to community is admirable.

We simply ask elected officials to think twice before kicking the public out of public meetings.

Strive for fewer. Less is more. A closed meeting should be a rare occasion, not a habit.

- Brian Hunhoff courtesy of the Ohio Newspaper Association

LETTERS TO THE EDITOR

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THEIR VIEW

Protect pension benefits

Last week, I met with Rita Lewis of Westchester, Ohio. Rita was in Washington to testify in front of the Senate Finance Committee in honor of her late husband, Butch. Butch worked as a trucker for 40 years with the promise that the pension he earned would be there to care for his family after he retired. But for Butch and Rita and thousands more Ohio retirees, that promise is under threat. A law Congress passed two years ago allows pension trustees to propose massive cuts to the earned benefits of retirees when a plan is running low on funds.



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This is disgraceful. If a pension fund is in bad shape, it's our job to fix it — not to break our promises to Ohioans who have worked their whole lives to earn that pension. I believed that two years ago when I voted against the law that allowed these proposed cuts, and I believe it now.

That's why I have introduced two bills — the Miners Protection Act and the Keep Our Pension Promises Act — that would protect the benefits Ohio workers earned over a lifetime of work. And I am calling on the Treasury to immediately reject the proposed cuts to the Central States Teamsters pension.

Ohio retirees whose pensions are under threat are part of so-called multi-employer pensions, including retired coalminers and truckers. The United Mine Workers of America's 1974 pension plan was almost completely funded before the financial collapse in 2008, but the plan

is now in bad shape, putting the health care and benefits of retirees in jeopardy. The 1974 plan covers more than 100,000 mineworkers, including thousands of Ohioans. Teamsters — including more than 47,000 Ohioans — who are part of the Central States Pension Fund are facing a similar crisis.

Miners worked underground their entire lives to put food on the table, send their kids to college, and help power this country. Truckers crisscrossed the state and the country to pay the bills, support their families, and drive our economy forward. They deserve the full pension and health benefits they were promised, and that they worked a lifetime to earn.

Butch Lewis led the Southwest Retirees Pension Committee's fight against cuts to their earned benefits. He passed away on New Year's Eve due to

a stroke, which doctors have attributed, at least in part, to the stress he faced over the proposed pension cuts. Rita's widow benefits have already been cut and she faces an additional 40 percent reduction because of the proposed cuts put forth by Central States.

Butch said the cuts being forced on retirees amount to a war against the middle class and the American Dream — and he's right. Ohio's retired workers have earned their pensions and retirement savings over a lifetime of hard work — whether it's behind a desk, on the factory floor, down in coalmines or behind the wheel.

We should honor Butch's memory by continuing his work. That means coming together to support a bipartisan solution to protect Rita's benefits and the pensions of tens of thousands of Ohio retirees.

THEIR VIEW

Young people and the right to information

The right to know is the birthright of every child born in this democracy. The challenge is to recognize and nurture that right, to inculcate the attitudes and skills that make it a reality. The welfare of the child and of the nation depends on the exercise of this fundamental right.

The problem is that the right itself is exercised not in the abstract but in the concrete — in the ways a young person develops the habit of probing, questioning, weighing facts, defending a position, understanding the sources, the barriers, the politics and economics of access to information by and about the government. It is stories that young learners



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come to understand what lies behind the published narrative, the editorial, the decision, the report, the media analysis or, in the midst of a campaign, the hype.

Young people need concrete examples of how, when and why access to good information makes a difference. Then, and only then, can they appreciate their inalienable right to know.

Even in this digital age, the written word remains an effective teaching tool. Good books communicate connections, convey the ways in which information comes to be, illustrate how it is shared or secreted. A good story well told demonstrates the power of information to shape decisions that ultimately determine action.

Open government and the role of a free press are difficult concepts, the link between cause and effect of access is frequently nuanced, always dependent on human interaction at every link of the information chain.

Explaining the right to know in a captivating tale — such as, for example, in the American Library Association's Young Adult Services Association 2015 award-winning "Most Dangerous: Daniel Ellsberg and the Secret History of the Vietnam War" by Steve Sheinkin — can make history and the right to know the truth about that history vivid for readers of all ages.

Tracy writes the "Poking Around With Mary" blog. She is a longtime FOI advocate in Minnesota and serves as outreach coordinator for OpenTheGovernment.org.