

**MAYOR AND TOWN COUNCIL  
THE TOWN OF FOREST HEIGHTS**

**RESOLUTION 80-13**

**A RESOLUTION ESTABLISHING A REASONABLE METHOD TO PROVIDE NOTICE  
OF THE TIME AND PLACE OF REGULARLY SCHEDULED AND SPECIAL  
MEETINGS OF THE TOWN OF FOREST HEIGHTS AND GENERALLY RELATING  
TO PROCEDURES FOR PROVIDING MEETING NOTICES**

Introduced by: Mayor Jacqueline Goodall

**WHEREAS**, the Town Council of the Town of Forest Heights (the "Council") is desirous of more formally and efficiently establishing a reasonable method to provide notice of the time and place of regularly scheduled and special meetings for the Town of Forest Heights (the "Town"); and

**WHEREAS**, pursuant to §33-6 of the Town Charter, the Council shall meet at 8:00 P.M. on the third Wednesday in March of each year for the purpose of organization, after which the Council shall meet the third Wednesday of each month and that Special meetings shall be called by the Town Clerk upon the request of the Mayor or at least three of the members of the Council, and that the rules of the Council shall provide that residents of the Town shall have a reasonable opportunity to be heard at any meeting in regard to any municipal question, and that all meetings of the Council shall be open to the public, except that the Council may go into an executive session subject to the requirements of the Annotated Code of Maryland, Subtitle 5, "the Open Meetings Act" and the various enumerated conditions stated therein; and

**WHEREAS**, the Town has customarily posted notice and held open meetings of the Mayor and Council at the Municipal Building namely in the form of council workshop meetings held on the First Monday of each month at 7:30 p.m. and regular town meetings held at 8:00 p.m. on the Third Wednesday of each month; and

**WHEREAS**, the Town has typically posted notice of such meetings on a bulletin board located within the Municipal Building and/or at various sign locations posted throughout the Town; and

**WHEREAS**, pursuant to §10-506(a) of the SG Art., of the Md. Ann. Code, among the Open Meeting Act's requirements is that a public body provide "reasonable advance notice" in writing of any meeting subject to the Act, regardless of whether that meeting will be open or closed; and

**WHEREAS**, the Open Meetings Compliance Board of Maryland in interpreting §10-506 of said Act has opined in 4 OMCB 88 (2004) that the "Open Meetings Act grants public bodies considerable flexibility in terms of the method of giving notice; [and that] [o]ne option under the statute is to post notice at a convenient public location at or near the location of the meeting 'if the public body previously has given notice that this method will be used...'" ; and

**WHEREAS**, the Council, in accordance with §10-506 of the SG Art., of the Md. Ann. Code, hereby formally establishes a reasonable method to provide notice of the time and place of regularly scheduled meetings, and the time and place of any special meetings called by publishing notice on a bulletin board located within the front (i.e., main) entrance of the Municipal Building located at 5508 Arapahoe Drive.

**NOW, THEREFORE BE IT RESOLVED** by the Mayor and Council of the Town of Forest Heights as follows:

Section 1. The Town establishes a reasonable method to provide notice of the time and place of regularly scheduled meetings, and the time and place of any special meetings by publishing notice of these meetings on a bulletin board or sign posted in or near the lobby of the Municipal Building that can be readily seen by the public without actually entering said building. Although the Town may physically post notice of a meeting elsewhere within the Town or on the Town's website located at the following web address: <http://www.forestheightsmd.gov>, such additional postings shall not be mandatory or required. This notice requirement shall apply to all committees, boards or other public bodies of the Town Government. Unless otherwise noted, all public meetings shall be held at the Council Chambers located at 5508 Arapahoe Drive in the Town of Forest Heights.

Section 2. All open meetings of the Town Council and any other public bodies of the Town Government may be and are subject to closure as permitted by law without further notice to the public, and the Council or any other body hereby expresses its intent to conduct at least part of its meetings in closed session.

Section 3. All notices shall state that any meeting shall be subject to closure pursuant to law; and, unless an approved and applicable Records Retention Schedule states otherwise, the Town Clerk shall keep a copy (i.e., paper copy, certificate of posting or photograph of bulletin board) of any public notice provided pursuant to this Resolution or other law for at least one (1) year after the date of the meeting.

Section 4. The Town Clerk may notify persons of the media that have requested advance notice of public meetings by sending notice of these meetings to the electronic mail address provided by the media person; however, failure or mistake in providing notices to the media shall not be considered a defect in notice if notice pursuant to Section 1 hereinabove has been provided.

Section 5. It is found and determined that the formal action of the Council concerning or relating to the passage of this Resolution was adopted in an open meeting of the Council, and that all deliberations of the Council that resulted in such formal action, was in a meeting open to the public, in compliance with all legal requirements including all lawful ordinances and any applicable provisions of the Town Charter and the Maryland Open Meetings Act.

**BE IT FURTHER RESOLVED THAT**, a summary of this Resolution including the dates, times and location of all regularly scheduled meetings (i.e., council workshops and regular town meetings) as described in the above recitals shall be published in the Town Newsletter; and,

**BE IT FURTHER RESOLVED THAT**, this Resolution upon execution by the Mayor and President shall be posted within the Municipal Building in a conspicuous place for at least ninety (90) days, and along with any other resolutions of the Council this Resolution shall be further published on the Town's website located at <http://www.forestheightsmd.gov>; and

**AND BE IT FURTHER RESOLVED**, that this Resolution shall take effect from the date of its passage by the Town Council.

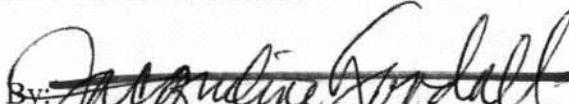
**APPROVED:** By Resolution of the Town Council of The Town of Forest Heights, Maryland.

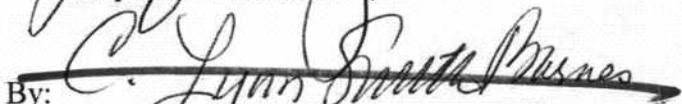
<u>ROLL CALL VOTE</u>	<u>YEA/NAY/ABSTAIN/ABSENT</u>
GOODALL	<u>YEA</u>
KENNEDY II	<u>YEA</u>
STONER	<u>NAY</u>
BARNES	<u>YEA</u>
MUHAMMAD	<u>YEA</u>
SMITH-BARNES	<u>YEA</u>
MANN	<u>YEA</u>

ATTEST:

THE MAYOR AND COUNCIL OF THE TOWN  
OF FOREST HEIGHTS

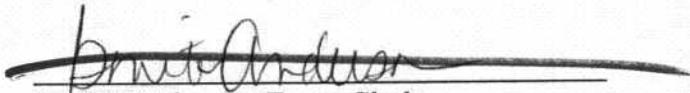
  
\_\_\_\_\_  
Bonita Anderson, Town Clerk

By:   
\_\_\_\_\_  
Jacqueline Goodall, Mayor

By:   
\_\_\_\_\_  
C. Lynn Smith-Barnes, Council President

CERTIFICATION

I, hereby certify, as the duly appointed Town Clerk of the Town of Forest Heights, Maryland, that on the 20<sup>th</sup> day of November, 2013 with 6 Aye votes and 1 Nay vote the aforesaid Resolution 80-13 passed.

  
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Bonita Anderson, Town Clerk