

August 11, 2006

To Whom It May Concern:

Please be aware that the Open Meetings Act has recently been amended by Public Act 94-1058. The amendment broadens the definition of a "meeting" and also distinguishes between participants who are physically present versus members who participate by use of electronic means.

The definition of "meeting" has been expanded to include a gathering of people contemporaneously present through use of video, audio or telephone conferences, electronic means or through other interactive communications. Examples of electronic means cited in the definition include e-mail, instant messaging and use of chat rooms. An open meeting now requires a quorum of members to be physically present at the meeting. The minutes of the meeting must reflect if the members were physically present or were present through use of video or audio conferencing.

A new section, Section 7, has been added which allows a member to participate in a meeting through electronic means who cannot be physical present because of an illness, employment or business reason or because of an emergency. If possible advance notice of electronic participation must be given to the recording secretary or clerk. Additionally a majority of the public body must approve of the member's electronic participation. A public body may adopt a policy in accordance with the new provisions that further restrict participation and notice required.

All open meetings must be held and conducted in accordance with these new provisions beginning January 1, 2007.

Please contact me at your convenience if you have a further questions or concerns regarding this matter.

Very truly yours,

HAUSER, IZZO, DeTELLA & PETRARCA, LLC.