



MERIDIAN ARTS COMMISSION MEETING AMENDED

City Council Chambers, 33 East Broadway Avenue Meridian, Idaho

Thursday, May 12, 2022 at 3:30 PM

MINUTES

ROLL-CALL ATTENDANCE

<input checked="" type="checkbox"/> Lizzie Taylor	<input checked="" type="checkbox"/> Patrick O'Leary
<input checked="" type="checkbox"/> Jessica Peters, Vice Chair	<input type="checkbox"/> Jenifer Cavaness-Williams
<input checked="" type="checkbox"/> Natalie Schofield	<input type="checkbox"/> Thomas Vannucci
<input checked="" type="checkbox"/> Bonnie Zahn Griffith, Chair	<input checked="" type="checkbox"/> Raeya Wardle
<input checked="" type="checkbox"/> Bobby Gaytan	

City staff present were Arts and Culture Coordinator Cassandra Schiffler, Recreation Manager Garrett White, and City Attorney Emily Kane.

ADOPTION OF AGENDA

J. Peters made motion to adopt agenda; seconded by L. Taylor

All ayes

APPROVAL OF MINUTES [ACTION ITEM]

1. Approve MAC meeting minutes from April 14, 2022

P. O'Leary made motion to approve minutes; seconded by L. Taylor

All ayes

APPROVAL OF FINANCIAL STATEMENTS [ACTION ITEM]

2. Monthly Financial Statement

C. Schiffler stated that the Finance Department will no longer be producing a monthly financial statement for the Commission; instead the Commission's budget will be available on OpenGov.com, can be accessed by both the Commission and the public, and is updated nightly based on Finance's records.

L. Taylor made motion to approve monthly financial statements; seconded by N. Schofield

All ayes

REPORTS [ACTION ITEM]

3. **Update: Initial Point Gallery:** Current Exhibit: WASD Annual Art Show and Award Winners, Gallery Host Raeya Wardle; Upcoming Exhibit: Rachel Teannalach, Dave English, Ryan Wise, Lisa Bowers, Leslie Bosch, Gallery Host: Jessica Peters, ~ *Current Exhibit Update: Raeya Wardle, Youth Commissioner*

R. Wardle stated the Gallery opening for the WASD Annual Art Show went really well with 93 people in attendance.

4. **Update: Public Art Committee:** Key Detail Mural at unBound Library Design Progress, MOU with WARD for Mural at Pool, Discussion of Drafted MAPS planning budget for upcoming Fiscal Years, Logo for Meridian Art in Public Spaces (MAPS) ~ *Bobby Gaytan, Public Art Committee Chair*

B. Gaytan stated the proposed three designs by Key Detail for the unBound Library design were reviewed and the provisionally final design will be reviewed this month. Progress is being made on this project.

B. Gaytan stated the Subcommittee discussed the mural for the Meridian Pool and that details still need to be worked out.

B. Gaytan proposed calling the Tully Skate Park project an Apprenticeship rather than a Call to Artists and that this proposal was well received by the Subcommittee.

B. Gaytan stated the Subcommittee is still recommending the need for a professional organization to assist in the development of a Public Art Plan but that a budget amendment would not be approved this year to cover the cost of hiring a professional organization so this project will be readdressed next year.

B. Gaytan stated he presented MAPS logo ideas that were well received by the Subcommittee and he will be modifying two selected designs based on the Subcommittee's feedback.

5. **Arts and Culture Coordinator Report:** Calls to Artists: Initial Point Gallery, Five Mile Creek Pathway Trailhub RFQ + RFP, Tully Skatepark Call for Youth Mural Artist Apprenticeship, Concerts on Broadway, Social Media and Marketing, Mayor's Awards in the Arts ~ *Cassandra Schiffler, Arts and Culture Coordinator*

1. Public Art Projects

- Design stage for a mural by Key Design at the unBound Library is underway! They have reviewed initial designs, and have sent a provisionally final design, which will be reviewed by the Library on Friday 5/20/22. After the Library approves a final design in writing, C. Schiffler will present it to MAC and Council for approvals.
- Calls to Artists:
 - Open: Initial Point Gallery Call; **Deadline - June 1, 2022:**
 - so far 5 artists, and 1 organizational show have applied
 - Call has been posted on social media, emailed to CWI, C of I, BSU faculty and students, BOSCO, TVAA, Surel's Place, Boise City Department of Arts and History, and the Idaho Commission on the Arts

- Open: Five Mile Creek Pathway Trailhub RFQ + RFP, **Deadline - June 3, 2022:**
 - currently only 1 applicant, though C. Schiffler had inquiries from 2 others
 - Call has been emailed directly to 7 local public artists, listed in the McCall, Boise, Nampa City external calls (no response from Eagle), listed on CodaWorx, Regional Arts & Culture Council (RACC in Portland area), and on the Americans for the Arts Public Art Network, and 4Culture (King County in Washington). Several sites were considered for paid advertising for the call, including Artwork Archive, Side Arts, artjobs.com, CaFE, and publicartist.org, but C. Schiffler did not pay for any listings.
- Working to Release: Tully Skatepark Call for Youth Mural Artist Apprenticeship, anticipated **Deadline - June 15, 2022**
 - Agreements with Miguel Almeida have been sent
 - Waiting to release Youth Apprenticeship call until Professional artist's agreements are finalized and background check is complete
- Working on a Media Release for all 3 Calls to go out from City Communications when Tully Skatepark is ready to release. C. Schiffler is excited the Commission will have calls and opportunities for all kinds of artists: gallery artists, public art professionals, and a youth apprenticeship for the Tully Skatepark mural.

2. Concerts on Broadway

- Presented a funding request to MDC for \$10,000 for Concerts on Broadway and up to \$2,500 for traffic box installations for WASD student 3 wraps. The requests were approved!
- Agreements are in place for all bands (Smooth Avenue on August 27th; High Street on September 10th, and Soul Patch on September 24th)
- Agreements for audio is in place for 2 of the 3 concerts, and C. Schiffler is working on finalizing an agreement with the final audio contractor.
- Reached out to the Meridian Youth Symphony Orchestra for youth performers and Treasure Valley Children's Theater for potential opening acts

3. Tammy De Weerd's Awards in the Arts

The Mayor's Awards selection subcommittee members are Bobby Gaytan, Bonnie Zahn Griffith, Lizzie Taylor, and Natalie Schofield who will meet on **May 26 at 10AM** to review and select four award winners for the Tammy De Weerd's

Awards in the Arts in 2022 in the following categories: Support of the Arts, Arts in Education, Excellence in the Arts, and Student Excellence in the Arts.

Please send any nominations to C. Schiffler by **May 20, 2022**, and they will be considered by the Subcommittee for the awards.

4. Event: Idaho Art Gallery Open House on Friday, May 13 from 11am - 6pm and Ribbon Cutting Ceremony from 12pm – 1pm at 211 E. Pine Ave., Suite 108.

5. State of the City Event: June 1 at 3:29pm at the Galaxy Center

If you haven't already, please let C. Schiffler know if you would like to attend by the end of today.

6. Social Media and Marketing

- 14 posts, 27 stories, and 2 Reels in April on Facebook and Instagram
- According to Instagram, 3,173 user accounts were reached in April
- Media Release for Gallery Opening, Working on a Release for all 3 calls
- Thank you Natalie Schofield for all the traffic box images and texts for posts!
- C. Schiffler requesting information on posts on Commissioners to include: profile image, a brief 2-3 sentence bio, and short statement about why you love the Arts and the Arts Commission

Commission Feedback:

- **B. Zahn Griffith** – Are there any nominations for the Awards of Excellence?
Not yet.

6. Event Update: Treasure Valley Children's Theater Performances of "A Bad Case of the Stripes"

C. Schiffler stated the Meridian show is tomorrow evening at Settlers Park but there are a few more performances in Nampa.

NEW BUSINESS [ACTION ITEMS]

7. Approve Arts Commission WASD Annual Art Show Award Winners for Traffic Box Project

L. Taylor made motion to approve awards and recommend the two dimensional selections for the traffic boxes; seconded by P. O'Leary

All ayes

8. Discuss: Application for Idaho Humanities Council Opportunity to Display Smithsonian Institution Exhibit ~ Cassandra Schiffler, Arts and Culture Coordinator

C. Schiffler stated this is traveling exhibit that will be shown in six selected towns and the selected locations receive \$1500 to host required workshops and to market the exhibit. C. Schiffler stated if Meridian were selected the exhibit could be shown in the Initial Point Gallery (IPG). C. Schiffler stated the deadline to apply is June 15 and she requested a Commissioner to be a lead to assist her with the application process.

Commission Feedback:

- **P. O’Leary** – inquired as to what future exhibits this exhibit would be tied to per the application’s programming requirements. *The \$1500 award could assist the Commission with meeting this requirement and the Commission should consider partnering with the Historic Preservation Commission to assist with meeting the application requirements.* P. O’Leary volunteered to assist C. Schiffler with the application process.
- **N. Schofield** – inquired about the requirement to have someone on the premise when the exhibit is open and if the Mayor’s Office staff across the hall would be sufficient. *This will need to be confirmed during the application process.* N. Schofield volunteered to assist C. Schiffler with the application process.
- **B. Zahn Griffith** – inquired if we are able to pick the time the exhibit would be shown if we are selected. *Not sure if we would have a choice but the tour schedule does include dates at the end of 2023/beginning of 2024 and these would be easier to slot as the Commission is already working on the IPG schedule.* B. Zahn Griffith volunteered to assist C. Schiffler with the application process.
- **R. Wardle** – confirmed there is a place in the application to indicate preferred date choice.

N. Schofield made motion to apply for the Idaho Humanities Council Opportunity to display the Smithsonian Institution Exhibit; seconded by L. Taylor

All ayes

C. Schiffler will work with P. O’Leary as the lead for this project and will reach out to other Commissioners as needed.

9. Discuss: Potential Use of \$1,500 from Arts Commission Budget for a Project Assistant/Intern from Boise State University for Arts and Culture Project Activities

C. Schiffler stated that funds are available from the Parks and Recreation Department budget this year instead of the Commission’s budget and she is writing an internship description.

G. White, Recreation Manager for the Parks and Recreation Department, confirmed use of funds from the Department’s budget will not necessarily always be available but it can be used this Fiscal Year.

Commission Feedback:

P. O’Leary – inquired as to the internship length. *Start date as soon as possible working 19 hour/week for approximately three months since the Fiscal Year ends September 30 and at a rate of \$13/hour. C. Schiffler is in contact with Boise State Community and Regional Planning Professors for a potential intern but it will be open to any student and will be a publicly posted position.*

10. Brainstorm & Identify MAC’s 2022 All Commission Goals and Priorities ~ Cassandra Schiffler, Arts and Culture Coordinator

G. White, Recreation Manager for the Parks and Recreation Department, explained this exercise is used to define what the Commission’s priorities are and helps focus City staff’s time and workload. The Commission reviewed proposed goals for 2022 and was asked to list the order of importance of these proposed goals. C. Schiffler tallied the priority levels. Please see the following results:

**MERIDIAN ARTS COMMISSION
2022 ALL-COMMISSION GOALS**

1 = highest priority / 12 = lowest priority

Commission Priority	Score: lower = higher priority	Bonnie Zahn Griffith	Lizzie Taylor	Raeya Wardle	Bobby Gaylan	Jenifer Cavanness Williams	Jessica Peters	Natalie Schofield	Patrick O’Leary	Thomas Vannucci
1	26	7	2	2	1		1	3	10	
2	27	5	3	4	2		5	7	1	
3	32	3	1	8	3		8	2	7	
4	37	1	10	5	4		2	4	11	
5	38	12	5	3	12		3	1	2	
6	45	4	12	6	5		6	6	6	
7	46	2	7	7	7		11	9	3	
8	52	11	11	1	8		4	12	5	
9	56	6	6	9	11		10	5	9	
10	56	8	8	10	9		7	10	4	
11	61	10	4	12	10		9	8	8	
12	70	9	9	11	6		12	11	12	

Meridian Arts Commission 2022 All Commission Goals and Priorities	
b	Support the completion of the Meridian Mural Series at unBound library, and the WARD pool
c	Support the Five Mile Creek Pathway Trailhub Public Art Project and participate in the selection of artists and project proposals
a	Program monthly Initial Point Gallery exhibits, host opening receptions, and market yearly Call-to-Artists, with a selection panel for new exhibits
h	Support Tully Park Skatepark Mural completion in Fall 2022 and participate in selection of youth apprentice
k	Increase inclusive programming through representation of diverse populations and marketing to underserved and underrepresented populations
f	Engage the community through Art Week and participate in programming and marketing events
g	Support Concerts on Broadway Series
i	Pursue development and completion of a Public Art Plan FY23/24 through researching options for help from professional public arts contractor(s)
e	Maintain existing Traffic Box Series; select artworks, approve locations, and commission installation of new traffic box wraps
j	Develop an RFP and use selection process to support performing arts programs through partnership and fiscal support of performing arts projects by organizations like the Treasure Valley Children’s Theater, Huckleberry Star Theater, and others
d	Support the Development of the Discovery Park Phase 2 Public Art Project
l	Present Tammy de Weerd’s Awards in the Arts

L. Taylor made motion to adopt the 2022 All Commission Goals and Priorities as they are presented; seconded by N. Schofield

All ayes

11. Open Meeting Law Presentation ~ Emily Kane, Deputy City Attorney

Presentation given by E. Kane (attached).

NEXT MEETING - JUNE 9, 2022

ADJOURNMENT

L. Taylor made motion to adjourn the meeting; seconded by P. O'Leary

All ayes

Meeting adjourned at approximately 5:04 PM



**INITIAL POINT GALLERY
PRESENTS**

**WEST ADA SCHOOL DISTRICT
ANNUAL ART SHOW**

**OPENING RECEPTION:
FRIDAY MAY 6, 2022
4:30 - 7:00 PM**

**MERIDIAN CITY HALL
THIRD FLOOR**

**Show runs May 6 - June 2, 2022
Open Monday - Friday
8:00 AM - 5:00 PM, excluding holidays**


Meridian | Commission

**Meridian Arts Commission Award Winners
West Ada District Art Show**

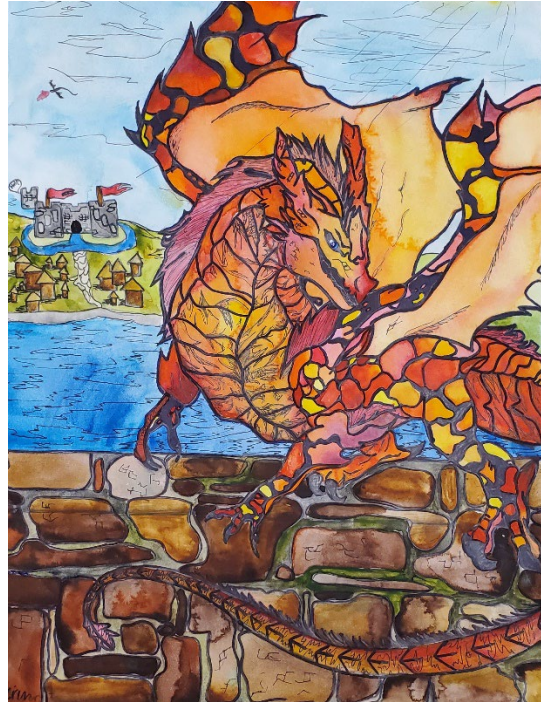
Elementary:

Jocelyn Irvin
4th Grade
Hunter Elementary
"Splendor Sunset"

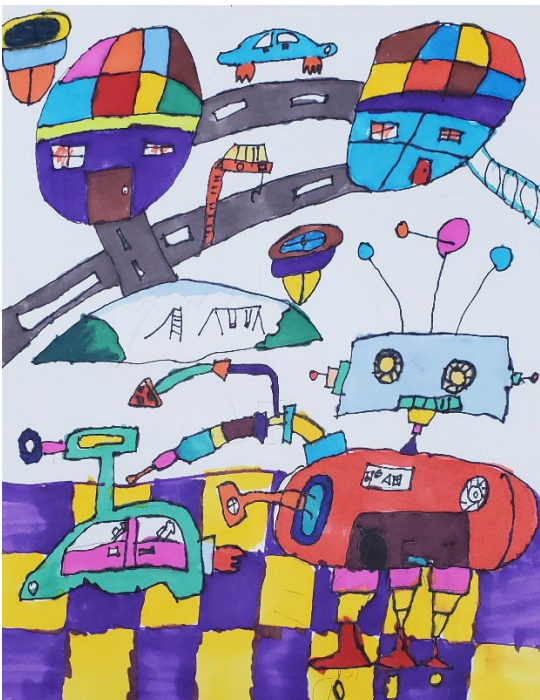


Middle School:

Ashley Lian
8th Grade
Galileo STEM Academy
"Illumination"



Nathan Lee
4th Grade
Paramount Elementary
"Robot City"



High School:

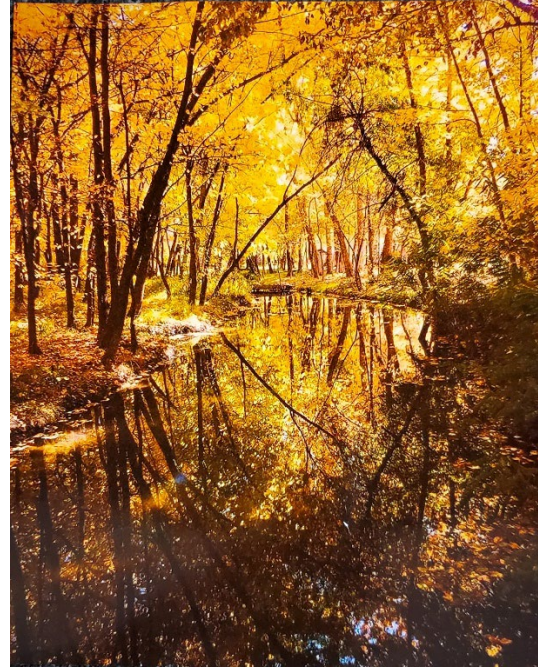
2-D

Kennedi Brown
12th Grade
Mountain View High School
“My Identity Spread”



Photo

Elsa Lindh
11th
Renaissance High School
“Reflections”



3-D

Elizabeth Steed
11th Grade
Eagle High School
“Bjorn’s Journal”





Apply Today

Deadline to apply:
6/15/2022 Noon MT

IHC Staff Visits:
6/15/2022 – 8/1/2022

Selection Date:
8/1/2022

Exhibition Tour:
5/20/2023 – 3/3/2024

The IHC is now accepting applications to host an exhibit from the Smithsonian Institution! This brand-new exhibit will visit six Idaho communities beginning May 2023. IHC covers all expenses including shipping, publicity, travel to two workshops, and provides \$1,500 for programming.

Spark! explores what ignites innovation. Themes include the spirit of ingenuity, creativity, resiliency, and optimism. Stories in the exhibit are exclusively from rural communities across the U.S. and will feature new and exciting ways to interact, including augmented reality. **It is also the first Smithsonian Museum on Main street exhibit to be entirely bilingual (English and Spanish).**

**All organizations across Idaho are welcome to apply!
IHC is especially interested in receiving applications from rural communities with populations under 20,000.**

Please Contact:

Doug Exton, Program Officer
Idaho Humanities Council
doug@idahohumanities.org



About Spark! Places of Innovation

Experience the distinctive combinations of places, people, and circumstances that generate innovation and invention in rural communities. *Spark!* is inspired by a National Museum of American History exhibit. This traveling exhibit explores the real stories of small-town innovation and invention, told by diverse voices. The powerful stories are enhanced with photos and objects from communities across the country.

“The story of human history is written in inventions and innovations. People are problem-solvers. Sometimes we invent. More often, we innovate—we introduce a fresh idea or an invention into use in some way that creates a new way of doing or thinking.

Invention can happen anywhere and it’s happening right now in small towns across America. Rural Americans are creating new products, taking risks, meeting challenges together, and seizing upon exciting opportunities that change local life and sometimes reach far beyond.”

-Smithsonian Institute

Rather than tell visitors about innovation, *Spark!* will *show* what innovation looks like in rural America with photographs, interactive components, objects, videos, and augmented reality. Case studies of rural innovation will give visitors the chance to consider how leaders approach challenges, how success is fostered, and how innovation impacts the future of communities. The goal is to inspire visitors to consider how the exhibit themes apply to their own towns and to look at the following questions:

- What is the role of creative thinkers and inventors in a town?
- What resources do towns have for innovation and invention?
- How important is the role of self-expression and openness to change?
- How does a place encourage risk-taking?
- How can diversity spark innovation?

Learn more about the exhibit and view downloadable resources here:

<https://museumonmainstreet.org/spark>

Learn more about the inspiration behind *Spark!*:

<https://americanhistory.si.edu/exhibitions/places-invention>

What is Included?

- All shipping costs to and from the venue
- All costs for two community representatives to attend two programming workshops in Boise
- All costs for two community representatives to attend an Installation workshop at the first host site
- \$1,500 to assist with supplemental programming
- Publicity materials including postcards, posters, banners, and more
- Consultation with scholars to develop local humanities programming

Funding Eligibility

Idaho tribal governments, nonprofit organizations, municipalities, and public institutions are eligible to apply. Although universities and colleges are eligible to apply, it is strongly encouraged to both partner with and apply through other local nonprofits and demonstrate a large non-campus audience. All organizations are required to have a valid SAM number. This is a 12-digit alphanumeric identifier. You can get this at www.sam.gov.

Special consideration may be given based on the following:

- Organizations serving rural counties as defined by the Idaho Department of Health and Welfare.
- Communities who have a population under 20,000.
- Organizations who reach new and/or underserved audiences.
 - “Underserved audiences” is defined as remote populations, seniors, people with African, Latino, Asian, Arab, and/or Native American/indigenous descent, People with Disabilities, New Americans (Immigrants, Refugees, First Generation Americans), Low-Income, and LGBTQIA+.
- Sites that collectively represent a broad geographic reach across Idaho.

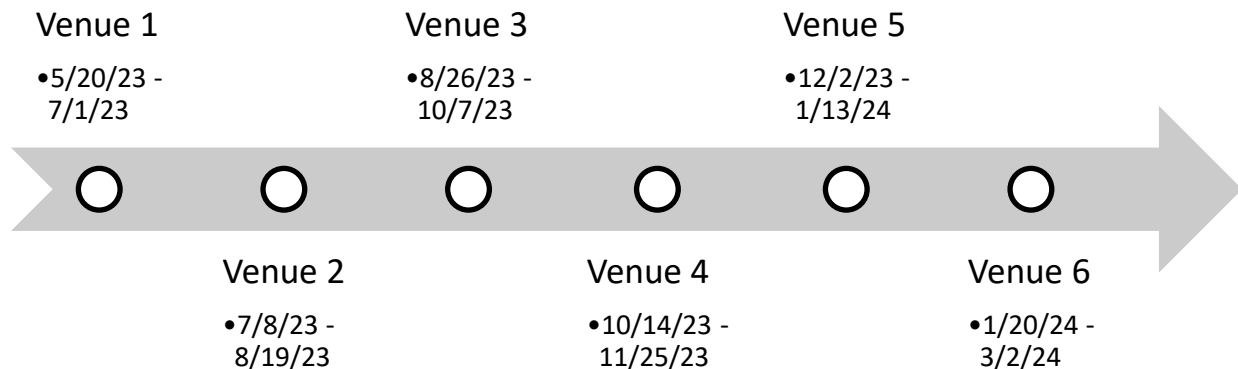
Venue Requirements

The venue must meet all the following to be considered to host the exhibit:

1. The venue must have a minimum of 650 square feet of space for the exhibit.
2. The exhibit cannot be displayed in a hallway, alley, outdoors, or in a tent/temporary building.
3. The exhibit must have staff watching during the entire time the exhibit is open and may not be left unsupervised while open.
4. The exhibit must be locked and secure at the end of the day (when public cannot access the exhibit).
5. There may not be direct sunlight in the exhibit space. You must diffuse the sunlight in the space if there is any.
6. The venue space may not exceed 80 degrees the entire time the exhibit is in the space.
7. The venue space must be ADA compliant.
8. The venue space will need a minimum of about 8'6" ceiling height clearance.
9. You will need about 50 square feet of storage for the exhibit crates.

Tour Schedule

Applicants will be required to choose the top three dates that work the best for them based on the schedule below:



Programming Requirements

All host sites will be required to have additional programs open to the public. These programs should tie themes from *Spark!* to the host community with a focus on humanities topics. Programs may be either in person or virtual, and it is encouraged to have programming leading up to, during, and in the weeks after the exhibit is in your community.

Examples of programs include:

- Oral history collection with community engagement
- Lecture/presentation/discussion series
- Digital and audio programs such as podcasts and interactive websites
- Site-based exhibits exploring the theme of innovation

How to Apply

Applications will only be received electronically through our grant system. Paper applications will not be accepted. You may find the link on the Museum on Main street page of our website: <https://www.idahohumanities.org/programs/smithsonian-exhibits/>

Note on Cost Share/Match

All projects require a one-to-one match. For Museum on Main Street, this means you will need to have \$1,500 or greater provided to receive the \$1,500 award from the IHC. The match can be from either in-kind service (such as volunteer hours or venue rentals), salaries/wages, or cash. The match can be made by any combination of these three.

You will not need to show this match during the application process, as Doug Exton will meet with selected sites on how best to record and report this figure.

Note on Allowable Costs

Selected sites will receive \$1,500 in addition to the exhibit. The grant funds may only be used for allowable costs.

Unallowable costs include:

- Projects that involve direct action or the planning of direct action to resolve social issues of public policy or public concern
- Projects that influence an audience toward a single position or present a one-sided, uncritical treatment of an issue
- Building construction, acquisition, or restoration costs (including historical preservation costs)
- Costs related to political action or advocacy
- The creation or performance of art (i.e., painting, dance, or theater)
- Expenses incurred before the grant period
- Purchase of real property
- Alcohol
- Scholarships and awards
- Museum acquisitions

Need Help?

IHC Staff are happy to help and provide guidance via phone, email, or Zoom. No question is too small or too large, so don't hesitate. It is best to reach out via email first, as some IHC staff are working remotely and will have a longer delay in returning phone calls. Staff comments and feedback are based solely on prior experience and following the suggestions does not guarantee funding.

Spark: Places of Innovation has been made possible in Idaho by the Idaho Humanities Council

Spark: Places of Innovation is part of Museum on Main Street, a collaboration between the Smithsonian Institution and the state humanities councils across the country. Support for Museum on Main Street has been provided by the United States Congress



Smithsonian





OPEN MEETINGS LAW



Emily Kane, Deputy City Attorney
Presentation to Meridian Arts Commission
May 12, 2022

What is the OML?

- Title 74, Idaho Code: Transparent & Ethical Govt.
- Chapter 2: Open Meetings Law
- “The people of the state of Idaho, in creating the instruments of government that serve them, do not yield their sovereignty to the agencies so created. Therefore . . . the formation of public policy is public business and shall not be conducted in secret.”



Does the OML apply to MAC?

YES!

“All meetings of a governing body of a public agency shall be open to the public.”

- Public Agency: City + any “subagency”
- Governing body: Board with authority to make decisions or recommendations
 - MAC
 - MAC’s subcommittees



What is a “meeting”?

- **Meeting** = Quorum + Decision
or
Quorum + Deliberation
- **Decision** = Action
- **Deliberation** = Receiving information...
or Exchanging information...
or Exchanging opinions...
...related to the business of MAC



OML Compliance

All Commission and Committee meetings must:

- Be noticed prior to convening: 48 hours (regular) or 24 hours (special)
 - Notice = Date/time/place + agenda posted at City Hall + website
- Be open to the public
- Provide the opportunity for all persons to attend
- Follow an agenda
 - Follow published/adopted agenda
 - Limited amendment of agenda after noticing or during meeting
 - No action may be taken on item added to agenda during meeting
- Be memorialized in summary minutes



Serial meetings



“The requirement that the Open Meeting Law be complied with **should not be evaded** by holding smaller meetings with less than a quorum present or by having a go-between contact each of the governing body members to ascertain his/her sentiment.”



Ex Parte Information

- **Ex Parte Information Gathering (EPIG):** Receiving, off the record, information or opinion regarding a matter pending before the Commission/Committee
 - Informal conversations with citizens/friends/colleagues
 - E-mail or phone/voice mail opinions (even unsolicited)
 - Individual site visits, research, interviews
- EPIG happens outside a meeting → EPIG deviates from the public record
 - “Public business shall not be conducted in secret.”



Idaho Supreme Court on EPIG:



“When a governing body deviates from the public record, it essentially conducts a **second fact-gathering session without proper notice.**”

How to handle ex parte information:

- Avoid it!



Also Idaho Supreme Court on EPIG:



The Commission is not held to a standard of **disinterestedness**.

Also how to handle ex parte information:

- Disclose it!
- Public meeting, on site, as a Commission



Public testimony

- The Open Meetings Law does not require that the Commission take public comments or testimony.
- BUT: The Commission president may allow or request public comments or testimony.



Executive session

- **Executive session** = A meeting closed to the public
- There are 10 specific exceptions to the open meeting requirement.
- It is unlikely that MAC would conduct deliberations under any of these exceptions.
- If you foresee the need to hold an executive session, please consult your attorney in advance.



Phone/online meetings

- The law specifically allows meeting by telephone conference call or online platform IF:
 - At least one Commissioner is physically present at the noticed location
 - The communications are audible to all attending
 - Voting is not secret



E-mail, text, social media

- Quorum of commissioners on an email thread + Deliberation = Illegal Meeting.
- Violates:
 - Notice requirement
 - Physical presence requirement
 - Audible communications requirement
 - Secret voting prohibition
- Creates record subject to disclosure to the public under Idaho Public Records Act
 - Even if it is your personal e-mail account or personal device
 - Administrative message is not deliberation



Open meeting violations

- Any action taken in violation of the Open Meeting Law is void.
- Subsequent actions are also void.
- **FIX:** Do-over, from the beginning.
- If an action is knowingly taken in violation of the OML, the actor is subject to being individually sued and fined, and may be subject to criminal prosecution.
 - Any affected citizen can sue.



ETHICS IN GOVERNMENT



Transparent + Ethical

- **Self-interested contracts:** Commissioners may not be “interested in” any contract with the City – some exceptions for volunteer commissioners
- **Conflicts of interest:** If you are asked to make a decision as a commissioner that benefits you or your household member personally or professionally, must follow statutory process
- **Gifts:** Commissioners (in course of official duties) may not accept gifts more than \$50 in value
- **Corruption, bribery:** Commissioners may not grant favors, for free or in exchange for \$\$



QUIZ!



Is it a “meeting”?

5 Commissioners are at a gallery opening, talking about the best way to keep daffodils from freezing.

NOT A MEETING

- Informal gathering of quorum is not necessarily a meeting.
- Quorum but no deliberation (exchanging opinions, but not related to MAC business)

5 Commissioners are at a gallery opening, talking about applying for a grant to fund an artist in residence.

NOT A MEETING

- Quorum but no deliberation
- BUT: If the Commissioners are later asked to deliberate or make a decision regarding this issue, must disclose this discussion during the public meeting.



Is it a “meeting”?

5 Commissioners are at a gallery opening, talking about a summer concert series proposal that is on their upcoming agenda.

- Quorum + deliberation (exchanging opinions related to MAC business)
- Informal gathering, but... **IT'S A MEETING!**

4 Commissioners are at a gallery opening, talking about a summer concert series proposal that is on their upcoming agenda.

NOT A MEETING*

- No quorum, but it is deliberation.
- *Violates the purpose of the law, even if no actual violation.



Is it inappropriate EPIG?

Commissioner goes to the proposed site of a mural installation that is to be discussed at an upcoming MAC meeting, in order to see what the site looks like.

- This is an off-record fact-gathering session not properly noticed or open to the public.
- Inappropriate EPIG: **AVOID!**

Commissioner lives near the site and drives by every day on the way to and from work.

- Incidental observation is not necessarily inappropriate fact-gathering.
- EPIG, but not inappropriate: **DISCLOSE**



Is it inappropriate EPIG?

The Commission wishes to see the proposed site of a mural installation that is to be discussed at an upcoming MAC meeting.

- A noticed site visit is not EPIG; this is a public meeting.
- Quorum + Deliberation (receiving information for the purpose of making a decision)
- Must be properly noticed, minutes must be taken, and the public must be allowed to attend.



CONCLUSION



Questions?

- **City Attorney's Office, 208-898-5506**
 - Emily Kane, ekane@meridiacity.org
 - Bill Nary, bnary@meridiacity.org
 - Kurt Starman, kstarman@meridiacity.org
- **Idaho Code**
 - legislature.idaho.gov, Click on "Laws & Rules," then "Idaho Statutes"
 - Title 74: Transparent and Ethical Government
- **Attorney General's Office Manuals**
 - ag.idaho.gov, Click on "Manuals"
 - Open Meeting Law Manual
 - Ethics in Government Manual
 - Public Records Law Manual

