

A Simple Guide to the  
**Open  
Meetings  
Act**  
for Illinois  
Fire Protection Districts

The Illinois Association of Fire Protection Districts was established as a Not-For-Profit organization in 1943 to protect the interests, rights and privileges of Fire Protection Districts as they may be affected by legislative, administrative, or judicial action.

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Fire Protection Districts**

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# A SIMPLE GUIDE TO THE OPEN MEETINGS ACT

- 1. Unless you have a seven member board,** if two Trustees are talking about fire district business, it is a meeting (otherwise it isn't).
- 2. If it is a meeting,** the Open Meetings Act applies and any action taken outside a properly noticed and conducted meeting is illegal. Violation of the Act is a criminal offense.
- 3. There are two kinds of meetings:** Regular and Special. Know the difference.
- 4. The regular meeting schedule** of the Board must be posted at the beginning of each year. Tell the media if a request is made, otherwise this is not required.
- 5. Post the agenda** for each regular meeting 48 hours in advance. It can be changed at the meeting and you can discuss or "consider" any item at a regular meeting, but you may take no action on any significant item not listed on the posted agenda.
- 6. Notice of special meetings** must be given at least 48 hours in advance. Post it. It need not be published, but it can be. The purpose of the meeting must be in the notice and nothing else can be considered at that meeting. A catchall may not be used. Notify media if a

- 7. To change a regular meeting,** a notice must be published 10 days in advance in the newspaper giving the new date, etc. or open and recess to another date.
- 8. If you don't have a quorum,** you can recess the meeting to another date and time. If within 24 hours, it is as if the meeting did not recess. If more than 24 hours, only the items on the original agenda can be considered.
- 9. Anybody may come to the meeting,** but you don't have to let them talk. You can if you want to and it is usually a good idea to let them, but on your terms. Exception: If it is a public hearing, you have to let them talk, but set reasonable limits.
- 10. You have to hold the meeting** at a location which is "convenient and open" to the public.
- 11. You have to let them tape,** but if they do, you do too, otherwise don't (except for closed session which will have to be taped by you).
- 12. Take minutes,** but keep it simple. Include who attended, what items were discussed, any votes, and any actions taken. They aren't minutes until approved by the Board. Do separate minutes for closed sessions and check them every 6 months for disclosure.

- 13. No, you can't throw everybody out** so you can do the real business. (Exceptions allowing closed sessions: litigation/claims; real estate matters; collective bargaining; personnel matters related to specific individuals).
- 14. When you do throw everybody out** (rules for closed sessions). Motion with specific exception stated/roll call vote. Take no action in the closed session. Before taking final action in open session on a matter discussed in closed session, explain. You must make an audio or video record and keep it for at least 18 months. Prepare minutes in the usual manner for all closed sessions. You cannot discard the tape until the 18 months has passed and minutes of the closed session have been prepared and approved. Review all closed session minutes every 6 months for Freedom of Information Act disclosure.
- 15. If you have a website** and any full time employees, remember that starting in 2006 you will have to post your meeting notices, agendas, and minutes to the website.

**NOTE:** The foregoing is provided by the Illinois Fire Protection Districts as an aid to its members. While it is believed to be accurate, districts should always consult their legal counsel regarding questions of compliance with the Illinois Open Meetings Act.