

Meeting Procedure and Open Meeting Law Considerations

1. The Fuel Resiliency Committee is subject to the Open Meeting Law.

What is the Open Meeting Law?

- It is a Nevada law that is intended to ensure government business is conducted openly. Openness is the norm, not the exception.
- All public bodies must follow the Open Meeting Law.
 - o A quorum (majority) of voting members must be present to start a meeting.
 - o Every meeting of the public body requires an agenda that clearly describes what will be discussed.
 - o The agenda must be posted 3 business days in advance of the meeting.
 - o The agenda must be accurate and the access points for the public must be functional (location accessible, correct phone number, etc.).
 - o The public body can only discuss items that are listed on the agenda.
 - o The public body can only make collective decisions (vote) on items that are listed as action items on the agenda.
 - o The public must be given at least two opportunities to make comments during the meeting, once before action is taken by the public body, and once before the closure of the meeting.
- What does that mean for you?
 - o Meeting attendance is important; we will need quorum to start each meeting.
 - o Everything you say during a meeting will be a matter of public record.
 - o Recordings of meetings, and meeting minutes, will be posted on the OEM website, and provided to members of the public, upon request.
 - o **Please identify yourself as a speaker every time you make a comment so OEM can ensure the accuracy of the meeting minutes.**

The Fuel Resiliency Committee **Can Close Portions of the Meeting Under Certain Circumstances.**

- Nevada Law provides a rare exception to the Open Meeting Law in NRS 239C.140(2). The Nevada Commission on Homeland Security, and its committees, may close meetings when receiving sensitive security information

that the Committee determines, upon a majority vote of its members, would be likely to compromise, jeopardize or otherwise threaten the safety of the public.

- This exception in the law exists to protect the public by ensuring that security vulnerabilities do not get into the hands of bad actors.

- **When a meeting is closed:**

- **Only Committee members may be present. All members of the public will be removed from the meeting.**
- The Committee may not take action (vote) on any matter.
- The Committee may only discuss items that fall under NRS 239C.140(2) and are described on the agenda.
- The meeting will still be recorded and transcribed, but those recordings and minutes will be held as confidential and not subject to public release.
- The meeting will be reopened to the public once the closed agenda items are complete.

2. Meeting Procedure

Public Comment

- Public comments are limited to three minutes per speaker, at the discretion of the Chair. No discussion should result from public comment. A topic needing more attention may be agendized for a future meeting.

Items for Possible Action

- Any “action” requires two voting members: one voting member will make a motion, and another voting member will second the motion.
- Once there is a motion and second, the motion will be opened for discussion by all the members.
- Once discussion is complete, all voting members will vote “aye” or “nay” to determine whether the action passes, when prompted.
- In order for the motion to pass, it requires the simple majority of the voting members who are present to vote in the motion’s favor.
- Non-voting members do not have the ability to make motions, second motions, or vote. They may participate in all discussions.
- All voting must be verbal. You must unmute your microphone and speak your vote.

Closed Meeting Procedure

- Once the meeting is closed, only Committee members and speakers may remain in the meeting.
- Call-in members must have their phone numbers pre-verified, or they will be removed from the meeting.
- If calling in, you must be in a private location where the discussion cannot be overheard, and no non-members may be present during the closed session.

Legal Advisor

- The Attorney General's Office will provide an advisor to assist this Committee with OML compliance.

Major Takeaways:

1. Always identify yourself for the record when you speak.
2. Remember that this meeting is open to the public and all comments will be a part of the public record. The only exception is when the Committee goes into closed session.
3. Only voting members can make motions, second motions, and vote on action items.
4. All votes must be verbal (no waving or giving a thumbs up to the camera).
5. The Committee can only speak on matters that are described on the agenda.
6. The Committee can only vote on matters listed "for possible action."
7. During the election of leadership a roll call vote will be taken if more than one nominee for Chair and Vice Chair.