

## **School of Government Advice**

Lisa:

The local ABC board is plainly a public body as defined by the open meetings law. See [G.S. 18B-700](#); [143-318.10\(b\)](#). Consequently, its meetings are subject to the open meetings law's public notice and minutes requirements. (The notice requirements are set forth in [G.S. 143-318.12](#), while the minutes requirement is found in [G.S. 143-318.10\(e\)](#).) I believe that the same is true of the Firemen's Relief Fund Board. See [G.S. 58-84-30](#); [143-318.10\(b\)](#).

The responsibility to keep minutes and provide meeting notices belongs in the first instance to each board. The town council could assign those duties to the town clerk, or the town clerk could voluntarily undertake them, but each board should ensure that notices are provided and minutes are kept even if the town clerk is not involved.

Records made or received by either board in connection with the transaction of official business constitute public records under the public records law. [G.S. 132-1\(a\)](#). Accordingly, they must be made available for copying or inspection unless an exception applies. [G.S. 132-6](#). Meeting agendas and the minutes of open session meetings are examples of records that would have to be made available in response to a public records request.

Ultimately, it's for the town council to decide whether to list meetings of the ABC board and the FRFB on the town's website. The open meetings law requires a public body to put its regular meeting schedule on its website if it has one, but my guess is that neither the ABC board nor the FRFB maintains its own website. [G.S. 143-318.12\(d\)](#). (A public body must also list special meetings and recess meetings on its website, if the website is maintained by at least one of the public body's employees. [G.S. 143-318.12\(e\)](#).)

Frayda and Vaughn, please weigh in if you have anything to add.



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E-mails sent to or from this e-mail address that relate to the School of Government's work are public records and may be subject to public access under the North Carolina public records law.

## **NC ABC Commission Advice**

Lisa,

If the Town wants to post this information on their website, they could but they have no duty under the Law to do this. If the Town did not want to do this, I would just direct the citizen who is asking back to the ABC Board. The meeting agendas, minutes and materials are available upon request from the ABC board. Anyone who would like notice of meetings may request that information from the ABC board as well.

A list of board members is also available to the public on our website [abc.nc.gov](http://abc.nc.gov) (under the ABC Stores & Boards tab).

**LAURIE LEE** | DIRECTOR, PRICING DIVISION & ABC BOARD AUDITS

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