

Minutes
Ohio Charitable Advisory Council
Jan. 9, 2008
Office of the Ohio Attorney General

Members present: Mary Gallagher, George Ondick, Otto Beatty, Barbara Baker, John Burant, Rita Soronen, John Matesich, Elaine Woloshyn and Joyce Garver Keller.

Members not present: George Espy, Jennifer Campbell, and Peggy Zone-Fisher. Barbara Kraig was connected by telephone. **Others present:** Martha Sweterleish (representing Jennifer Campbell), Kimberly Allison, and Jessica Hart. Staff members from the Attorney General's office included: Monica Moloney, Pete Thomas, Jeanne Johns, Jeff Clark, Ruth Wilkes, Lauren Lubow, and Beth Short.

1. **Welcome and Introductions.** The inaugural meeting was called to order by Assistant Attorney General Monica Moloney. Council members and others in attendance introduced themselves.
2. **Purpose of Advisory Council.** Ms. Moloney provided a brief overview of the council's creation through administrative rule. Ohio Attorney General Marc Dann is anxious to receive input from the Council on training needs within Ohio's charitable community, feedback on the development of model policies, assistance in identifying emerging trends within the nonprofit world, and advice on other issues affecting charitable organizations, Ms. Moloney said. She said the group may decide specific issues and priorities to address within the charitable community.
3. **Structure and Support.** Ms. Moloney told the Council that they would not receive compensation or expense reimbursement, but that the Ohio Attorney General's office will provide staffing support for the group's work.

Assistant Attorney General Jeff Clark provided a brief overview of Ohio's open meetings and public records laws. Mr. Clark informed the group that the Advisory Council is a public body subject to the state's open meetings statutes. A meeting occurs whenever the requirements for a three-prong test are present: a prearranged gathering, a majority of the public body's members, and a discussion of issues relevant to that public body.

He reviewed the requirements for public notice of meetings, executive session and the various penalties for failing to comply. Additionally, he reviewed the provisions of the state's public records laws and discussed definitions and liabilities for failing to comply with the statutory requirements. Mr. Clark responded to several questions from the Council and suggested that the Yellow Book on Ohio's Sunshine Laws is a valuable resource for information on the state's public records and open meeting provisions and can be found on the Ohio Attorney General's web site in the Legal Services section of the web.

Ms. Moloney said the Council would need to develop by-laws or policies to define various expectations on how the group would operate. She said it would be advisable to develop a position on what constitutes a quorum, whether substitutes are permitted to represent members who are absent, and what kind of notices should be provided for the meetings.

Ms. Gallagher suggested that the group aim to keep the procedures flexible since there may not yet be clear consensus for the group's direction. There was a consensus on maintaining flexibility, particularly in the beginning. After discussion of many of the basic operational issues, the Council determined that a quorum would be a simple majority of the voting members. The group also determined that meeting notices would be perfected by posting information on the time, date and location of the meeting on the Attorney General's web site and providing a copy of the notice to Hannah, Gongwer and the media room at the Statehouse.

4. **Nomination/Election of Advisory Council Chair.** After discussion by Council members, Barbara Baker was selected as chair of the Council. John Matesich was selected to serve as vice chair.
5. **Proposed Projects.** Ms. Moloney said the group could decide to identify special projects or priorities. That prompted a general discussion among members on the purpose of the Council. Ms. Soronen suggested that determining what perceptions exist within the nonprofit and donor communities could provide good background information and there might be multiple sources for the information. Mr. Matesich raised questions about what the scope of charitable organizations is within the state and whether there is a centralized location or resource for citizens to find that sort of information. Mr. Ondick said he had been spending some time examining the resources for charities that are available online from other states and there might be some models for providing information within Ohio. Council members also noted that it would helpful to hear from the Attorney General's office about the problems they observe in the nonprofit community.

Ms. Baker said that information gathering would be a good first step for the Council. Members were invited to forward to Ms. Moloney prior to the next meeting resources from various web pages that might be ideal to provide links to from the Ohio Attorney General's office, or ideas for various resources that should be developed for Ohio. Members were asked to examine the Ohio Attorney General's web page and bring suggestions and feedback. Members were also invited to identify best practices information that could be shared with the group. Ms. Baker said the next meeting would focus on sharing that sort of information, receiving an overview from the Attorney General staff on nonprofit data, and observations of challenges within the charitable community. Other

topics to be addressed would include information about surveys on nonprofit organizations and public opinions. She also suggested sharing information about the IRS changes to the 990 forms.

6. **Next Meeting.** It was determined that the group should capitalize on the momentum and meet again next month, although it would not be likely that the group would meet every month. The next meeting was set for 10 a.m., Feb. 13, 2008, in the Ohio Attorney General's office at 150 E. Gay St.
7. Meeting was adjourned.

Respectfully Submitted,
Beth Short