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STATE OF MARYLAND
OPEN MEETINGS COMPLIANCE BOARD

20 *Official Opinions of the Compliance Board* 15 (2026)
January 12, 2026
Talbot County Board of Elections

The Complainant alleges that the Talbot County Board of Elections (the "Board of Elections" or "Board") has violated the Open Meetings Act (the "Act") by failing to make sufficiently detailed disclosures before and after meeting in closed sessions, by failing to timely prepare and post minutes online, and by discussing matters in closed sessions that exceed the Act's personnel matters exception. For the reasons below, we find that the Board of Elections violated the Act by failing to include certain details in public disclosures before and after meeting in closed sessions, by failing to retain some minutes for the requisite period of time, and by engaging in a closed-session discussion that exceeded the scope of the personnel matters exception.

Discussion

A. Public disclosures before and after closed sessions

The Complainant first alleges that the Board of Elections has failed to satisfy the Act's requirements for public disclosures before and after meeting in closed sessions.

Generally, a public body must meet in open session, § 3-301,[1] unless the body is performing a function that is not subject to the Act's openness requirements,[2] or the body properly invokes one of fifteen exceptions in § 3-305(b). When a public body invokes one or more of the exceptions in § 3-305(b), however, the body must make certain public disclosures before and after the closed session. Before the session, the body must ensure that its presiding officer "make[s] a written statement of the reason for closing the meeting, including a citation of the authority under [§ 3-305], and a listing of the topics to be

[1] Statutory references are to the General Provisions Article of the Maryland Annotated Code.

[2] With few exceptions, the Act does not apply to a public body when it is performing an administrative, judicial, or quasi-judicial function. § 3-103(a)(1); *see also* § 3-101(b) (defining "administrative function"), § 3-101(e) (defining "judicial function"), § 3-101(i) (defining "quasi-judicial function").