

Advisory Committee on Open Government

Meeting Minutes

August 25, 2025 9:00 a.m. CDT

Greeting:

Comptroller Jason Mumpower opened the meeting of the Advisory Committee on Open Government (“ACOG” or “Committee”) in the Volunteer Conference Center on the 2nd Floor of the Cordell Hull Building in Nashville, TN at 9:00 a.m. CDT. Comptroller Mumpower recognized the importance of the Committee as an independent body and the importance of electing co-chairs and other positions on the Committee.

Call to Order

The Committee detected a quorum and called to order the meeting of ACOG. Mr. Brian Lapps obtained electronic participation confirmation from those Committee members participating online, therefore complying with the Tennessee Open Meetings Act (“TOMA”). All online Committee members indicated that they were able to participate in real time and disclosed other persons that may have been present at their location.

Committee Members Present and Constituting a Quorum

Joel Christopher, Society of Professional Journalists

Sheriff Eddie Farris, Tennessee Sheriffs Association

Brian Lapps (Co-Chair), Tennessee Board of Regents

Jennifer Wilkerson, County Officials Association of Tennessee

Elisha Hodge (Co-Chair), Tennessee Municipal League

Senator Richard Briggs, Chair, Senate State and Local Government Committee (Ex Officio)

Dr. Karen Jackson, AARP

Chris Vass, Tennessee Press Association

Tunisia Holley, League of Women Voters

Richard (Dick) Williams, Common Cause

Ambassador Victor Ashe, Tennessee Coalition for Open Government

Lauren Lamberth, Designee, Tennessee Attorney General and Reporter (Ex Officio)

Members Absent

Dr. Lee Carter, Tennessee School Board Association

Chief Sammie Williams, Tennessee Association of Chiefs of Police

Jonathan C. Smith, Tennessee Hospital Association

Dan Haskell, Tennessee Association of Broadcasters

Rep. Kelly Keisling, Chair, House of Representatives State Government Committee (Ex-officio)

Others Present and Addressing the Committee:

Deborah Fisher, Tennessee Coalition for Open Government

Toni Chadwick, Open Records Counsel

Peter Maher, Citizen of Tennessee

Discussion and Election of Co-Chairs

Mr. Farris moved to elect Mr. Lapps as a Co-Chair. The motion was seconded by Mr. Ashe. The motion passed unanimously with no discussion. Mr. Christopher moved to elect Ms. Hodge as a Co-Chair. The motion was seconded by Ms. Jackson, and the motion passed unanimously with no discussion.

Discussion and Election of Secretary

Ms. Vass moved to elect Ms. Wilkerson as secretary. The motion was seconded by Mr. Ashe. It passed unanimously with no discussion.

Public Comments

Co-Chair Lapps opened the floor for public comments. Mr. Peter Maher, appearing electronically, voiced concerns about a lack of transparency and accountability within government. Mr. Maher stated he had submitted written comments prior to the meeting.

Mr. Maher expressed his opinion that the State needs more open government. He made numerous suggestions about how the Committee could advise the Office of Open Records Counsel ("OORC"), including cost-saving measures that would assist a free press and freedom of speech; allowing greater civic participation; conflicts of interest disclosures by Committee members; additional information about the groups that provide nominees for the Committee; a searchable database of OORC opinions; improved mediation protocols and processes by the OORC; recording of training sessions regarding sunshine laws; increased transparency of correspondence relating to the Committee; revisiting records retention schedules; the need for the Committee to

have a public comment policy; a revised process for appointing Committee members; that the Committee meet quarterly in person in different geographic areas of the State; updating websites and contact information for public records coordinators; and rebranding the Committee.

Ambassador Ashe responded by stating that it would be appropriate for written comments submitted to be shared with ACOG members in advance of the meeting when possible. Ms. Chadwick indicated that the comments would be forwarded to Committee members.

Ms. Holley inquired about reviewing meeting minutes and transcripts. Mr. Lapps stated that a video of the meeting will be posted and that meeting minutes would be prepared. Ms. Chadwick, Open Records Counsel, stated that the video of this meeting would be posted on the website within three business days and likely by the end of the day.

Public comments were heard from Ms. Deborah Fisher, Executive Director of The Tennessee Coalition for Open Government. Ms. Fisher shared a brief history of the development of ACOG, stating that the Committee and the Office of Open Records Counsel were developed at the same time. The Committee was formed in an effort to bring a cross-section of citizens, media groups, and government together to discuss access to records and meetings. Ms. Fisher recognized the last meeting of ACOG was held before COVID and wanted to express gratitude to Senator Briggs for assisting with legislation to allow members to call a meeting in the absence of Co-Chairs.

Purpose of the Committee

Co-Chair Lapps asked Ms. Chadwick to assist in the discussion on the purpose of the ACOG, which she did. Co-Chair Hodge read a portion of Tennessee Code Annotated § 8-4-603 in regards to the purpose of the Committee.

Ambassador Ashe stated that the Committee should, as a courtesy, send the report to minority leadership in the General Assembly. Senator Briggs agreed with Ambassador Ashe's suggestion.

New Discussion

There was a brief discussion on the adoption of potential by-laws. Senator Briggs suggested that the Committee look to other examples of advisory committees and adapt those to fit the Committee needs. Co-chair Lapps stated that he would take the lead and look for examples of such bylaws. These examples will be presented at the next meeting along with a discussion of the same. Co-chair Hodge identified the need to establish a procedure for public comment. General Lamberth indicated that the Committee does not have authority to promulgate rules pursuant to the Tennessee Uniform Administrative Procedures Act, and thus Co-Chair Lapps said that the

Committee would establish a policy regarding public comment and that he would propose a draft policy.

Alternate meeting locations for future meetings were discussed with the suggestion of other potential locations, including the State Library and Archives, the Tennessee Board of Regents, the University of Tennessee Campus in Knoxville, and the Knox County Library. The date for the next meeting was set for November 13, 2025 at 9:00 a.m. Central Time. The Committee discussed the location's parking and capability to record or hold electronic meetings.

Ambassador Ashe proposed the question of how Committee members submit for travel reimbursement. Ms. Chadwick stated she would research the process to submit travel reimbursement with Finance and Administration and report to the Committee.

Senator Briggs reminded the Committee of the importance of discussing legislative needs in future discussions.

A motion to adjourn the meeting was made by Jennifer Wilkerson, with Co-Chair Hodge seconding the motion. The motion was unanimous, and the meeting was adjourned at 9:59 a.m.

Respectfully submitted,

Jennifer Wilkerson

Secretary