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OPEN MEETINGS - VIRGINIA

Gloss v. Wheeler

Supreme Court of Virginia - May 18, 2023 - S.E.2d - 2023 WL 3513381

County residents filed a petition for mandamus and injunction against members of the county board of supervisors, alleging violation of the Virginia Freedom of Information Act (VFOIA).

The Prince William Circuit Court granted defendants' motion to strike made at the conclusion of residents' evidence at trial, and denied residents' motion for reconsideration. Residents appealed.

The Supreme Court held that meeting of county's citizens advisory board and a majority of supervisors was subject to the open meeting provisions of VFOIA and did not fall within an exception to the definition of "meeting."

In action brought by county residents against members of the county board of supervisors for alleged violation of the Virginia Freedom of Information Act (VFOIA), meeting of county's citizens advisory board and a majority of supervisors did not fall outside the VFOIA definition of "meeting" based on participants' failure to discuss public business, where the meeting was called specifically to discuss matters of county policy related to riots occurring in the county and police response to those riots, such discussions occurred as planned, the same issues were placed on county board's agenda for a subsequent emergency meeting, and sufficient evidence supported a conclusion that county business was transacted regarding the contents of a requested law enforcement report about the riots.

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