

House Bill 257
Proponent Testimony of Leigh Herington before
The Ohio Senate
Senate Government Oversight Committee
For the Virtual Public Meetings Bill

Chair Roegner, Vice Chair Antani, Ranking Member Hicks-Hudson and members of the Senate Government Oversight Committee, I appreciate the opportunity to testify in support of the virtual public meetings bill, HB 257, -sponsored by Representatives Hoops and Clagget.

My name is Leigh Herington. I had the honor of serving in the Ohio Senate from 1995 to 2003, and as minority leader from 2001 to 2002. I come before you today on behalf of the Northeast Ohio Public Energy Council (NOPEC). NOPEC is a regional council of governments established 23 years ago that provides retail electricity and natural gas aggregation service to customers in about 240 communities throughout 19 counties in Ohio. NOPEC is the premier example in Ohio of regional governmental cooperation. NOPEC serves approximately 900,000 Ohio residential customers and small businesses. I served as NOPEC's first Executive Director for five years, from 2006 through 2011.

NOPEC is governed by a volunteer Board of Directors, comprised of 19 directors from NOPEC's member communities. Because NOPEC is a statewide council of governments, our Board members are located as far north as Cuyahoga County, as far northeast as Ashtabula County, as far northwest as Seneca County, as far south as Fairfield County, as far southwest as Clark County and as far southeast as Athens County. Most of NOPEC's Board members are elected public officials, and several must travel as much as 3 hours to attend Board meetings in person.

NOPEC is a strong proponent of HB 257. This bill represents forward thinking good government for Ohio. It is time to make this law permanent because of governmental public body efficiency made possible by technological improvement and the success of the temporary virtual public meetings that the Legislature authorized during the COVID pandemic. We commend the sponsors and co-sponsors for introducing this needed legislation and urge that it be passed in this legislative session.

In my capacity as NOPEC's Executive Director, my responsibilities included staffing our Board meetings and ensuring compliance with Ohio public meetings laws. I can attest that it was at times difficult to obtain a quorum at NOPEC Board meetings due to inclement weather making the Board member commutes from all over Ohio to attend the meeting in person impossible, illness of a Board member, or an elected official member's other public duties that prevented a 3 to 6 hour roundtrip commute to attend a Board meeting in person and discharge of those other public duties on the same day.

During the COVID pandemic, the Legislature authorized, on a temporary basis, the use of virtual meetings for public bodies to conduct important public business. This was crucial to ensure that Ohio local government agency budgets were approved, bills were paid, contracts could be authorized, and other vital public business could be conducted. That authorization ended last year. NOPEC can attest those virtual meetings worked flawlessly for our agency during the 2021-2022 COVID period. The requirements contained in HB 257 to ensure public participation and good government practices are all ones that NOPEC implemented during the temporary period when virtual meetings were authorized.

Public notice in advance of each meeting was provided together with directions to access the virtual meetings, as required by this bill, were available at every NOPEC Board meeting during this time period. All meetings also always required a quorum to conduct business and a majority vote to approve Resolutions at the meetings. All meetings held virtually continued to be recorded just as was done for in-person meetings. In short, all virtual meetings contained, and will contain under the provisions of HB 257, the same public participation, transparency, and compliance with Ohio law as in person meetings.

With 19 Board members spread across 19 counties all over Ohio, we believe that this proposed bill would be extremely beneficial for a multi-county regional council of governments such as NOPEC. For all of the reasons in this testimony, NOPEC strongly supports the passage of HB 257 in this legislative session. Thank you for the opportunity to provide this testimony to the Committee.