

IN THE COURT OF COMMON PLEAS  
PORTAGE COUNTY, OHIO

|                                  |   |                         |
|----------------------------------|---|-------------------------|
| Brian Ames                       | ) | Case No.: 2020 CV 00014 |
| Plaintiff                        | ) |                         |
|                                  | ) |                         |
| vs.                              | ) | Judge Thomas J. Pokorny |
|                                  | ) |                         |
|                                  | ) |                         |
| Portage County Budget Commission | ) | <b>Judgment Entry</b>   |
| Defendant                        | ) |                         |
|                                  | ) |                         |

This matter is before the Court upon the Defendant's Motion to Dismiss filed 3/4/20.

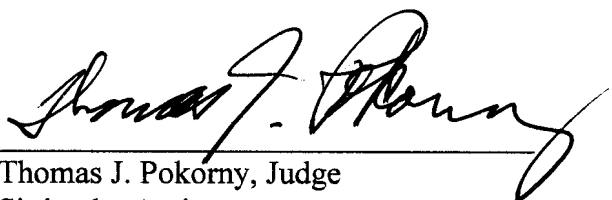
The Court has reviewed the Motion and Plaintiff's Opposition thereto filed on 3/5/20.

Under Civ. R. 12 (B) 6 a Complaint is subject to dismissal where "it appears beyond doubt from the Complaint that the Plaintiff can prove no set of facts entitling him to recovery". Plaintiff claims in his Complaint that the Defendant is a "public body" per R.C. 121.22 (B) and therefore subject to the mandates of Ohio's Open Meetings Act.

The Court finds that as a matter of law, the Portage County Budget Commission is clearly a "public body" under R.C. 121.22 (B) (1) (a) because it is a legislatively-created decision-making body of a county and school district. Being a public body, the budget commission is subject to the requirements of the Ohio Open Meetings Act.

Defendant's Motion to Dismiss is OVERRULED.

IT IS SO ORDERED.

  
Thomas J. Pokorny, Judge  
Sitting by Assignment  
20 JA 512