

Cedar County  
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## State auditor releases summary report of sunshine law violations from 59 agencies

by Becky Groff

Concerns regarding open meeting minutes and documentation for closing meetings were noted for 47 governmental entities, including Cedar County, according to a report from Missouri State Auditor Susan Montee.

A report released by the auditor's office last week, issued findings regarding open and closed meetings, public records and meeting agenda concerns. The report summarized a variety of sunshine law issues compiled using audit reports from 59 governmental entities issued between January 2008 and December 2009, including Cedar County.

Cedar County was included with:

- 13 entities listed for not maintaining up-to-date minutes for some open meetings;
- 31 entities cited for meeting minutes not always including sufficient detail of matters discussed and votes taken;
- 26 entities which did not have meeting minutes

signed by the preparer or adequately approved by a member of the governing body;

- 27 entities which did not ensure minutes were prepared and retained to support all closed meetings;

- 11 entities which did not ensure matters discussed and actions taken in closed meetings were properly made available to the public.

The 2009 audit cited the county commission stating "the county clerk does not prepare minutes for the closed sessions of meetings of the county commission. The county commission held six closed sessions during the year ending December 31, 2007, and while the regular minutes did appear to disclose the reason for entering into closed session, minutes were not maintained for the closed portion of the meeting. In addition, it is not evident that the final disposition of matters discussed in closed meetings is made public."

Regarding that issue,

the commissioners responded to the auditors the time and reason for entering into a closed session has been documented. No decisions or motions were made or voted on in closed session, only discussion.

County clerk Peggy Kenney said minutes have been signed by the commissioners since 2008 — the time period covered by the audit was between the years 2004-07.

Additional procedures have been implemented since that time, Kenney said. Closed meetings now are tape recorded and kept in a locked file cabinet, which can be accessed only through a court order.

"Currently, the minutes (for closed meetings) are being typed, but not entered into the official minute book," Kenney said, "because the minute book is a matter of public record, closed minutes are not."

The complete report can be viewed at <http://auditor.mo.gov/pres/2010-55.htm>

