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Attorney sees violation at Marionville's closed session

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On July 13, the Marionville Board of Aldermen held a special closed session to discuss Gena Valente as a board member after 45 residents petitioned to have her removed, but a Missouri Press attorney believes this was a violation of the Sunshine Law.

The board chose to discuss the matter behind closed doors, but Missouri Press

attorney Jean Maneke said the board violated the state's Sunshine Law -- governmental bodies' requirements and exceptions to conduct business in open/closed sessions.

"This matter involved no possible litigation involving the public body, so the board violated the sunshine law in taking this into closed session," Maneke said in an e-mail to the *Advertiser*. "Exception one 'in 610.021 involves possible litigation against the city, not litigation against an individual council person for something like this.

"And further, bills of impeachment belong in open session. When a petition for impeachment is filed, it is brought before the city council and they need to vote on

whether to hold an impeachment hearing in open session.

There is no exception in 610.021 for such a matter. This was a violation of the law."

The closed session of the board was referred to as an "impeachment trial" in the July 16 edition of *The Aurora Advertiser*, but Marionville officials said the closed session actually was "a closed meeting to discuss the issue to see if it needed to go further."

The vote to drop all accusations against Valente included Max McBride, Derek Eckels, Danny Clevenger and Valente. Mayor Bob Duda Jr. didn't cast a vote. Jim Dickenson and Jeff Shatz gave dissenting votes.