

# 800 241 County counselor hired to make things better

Christian  
County  
Headliner News  
Ozark, MO  
Circ. 5750  
From Page:  
7  
10/28/2009  
17915



As many of you know a settlement has been reached with the Attorney General Chris Koster's office regarding the alleged violations of the Sunshine Law in connection with the appointment of the county counselor, John Housley. As your elected official, I believe you deserve to know the details of this case. Until a settlement was reached, I could not publicly comment. What I would like for you to know is the sole reason the County Commission hired a county counselor was to make things better for our county.

First, I would like to say that the County Commission never 'knowingly' violated the Sunshine Law. The keyword here is 'knowingly.' There was absolutely no intent to hide the appointment of the hiring of the county counselor. We have always striven to follow the law to the best of our ability. The Sunshine Law is complicated. I recently attended a seminar on the Missouri Sunshine Law, and the presenter from the Attorney General's Office was the first to express that this law is complicated. He shared that he often has to arrange for meetings with the attorneys within the AG office when trying to interpret this law when presented with questions



**GRUBAUGH**

from other government entities. He shared that it takes a table full of attorneys to understand the Sunshine Law; it is no wonder so many local county and city officials have problems interpreting it. He stated that he often struggles with understanding the law himself.

I say all of that not to place blame on others or make excuses about understanding or not understanding the Sunshine Law. As your elected official, I take full responsibility to try and understand this law and follow it, the best I know how.

To get back to the sharing with you the particulars of this case, we believed it was in the best interest of

Christian County to get this resolved and finished. The County Commission is and has been fully committed to openness and transparency, and it is fully committed to comply with the Sunshine Law. It made no sense from our side or from the Attorney General's side to continue with the case due to the time, legal expense and distraction from productive work that cases like this always cause, therefore a settlement was agreed upon.

According to the settlement agreement, we take full responsibility in that the agenda notice of the meeting where the county counselor was appointed was insufficient, and the minutes of the meeting where the appointment occurred did not include a description of the vote that was taken.

The agenda notice of the meeting where the county counselor was appointed stated that it was an 'Office Holders Meeting', rather than specifically for the appointment of a county counselor. It should have said that it was for the 'Appointment of the County Counselor.'

What I would like for the citizens of Christian County to know is that this meeting was attended by members of the public, by most of the county office holders and members of the press. There was absolutely no intent to hide the appointment of the county counselor. I will be the first to say that the agenda notice should have been more specific. I want to assure you that we are now very specific in our descriptions of the items on our agenda. I think we all learn from our mistakes.

The minutes were not received by the commission until three weeks after this particular meeting. Upon receipt of the meeting minutes, it was discovered they did not contain a description of the vote that was taken to appoint the county counselor. All three commissioners acknowledged that a vote was taken on Dec. 28, 2006 to appoint a county counselor, but a description of the vote was not included in the

minutes that were prepared.

There has never been a dispute about the contents of the agenda notice of this meeting, or the minutes, from the beginning of this case. In fact, as soon as we were aware the motion was not included in the minutes, I called the attorney and asked him how to proceed. He instructed the commission to treat this appointment as null and void, which we did immediately. We then placed the issue back on the agenda. I honestly do not know what more we could have done. We corrected this as soon as we knew the minutes did not include the vote. I wish the Attorney General's office had talked to us and given us the opportunity to resolve this matter before it was filed, but that didn't happen. Instead, they filed this case without notifying the County Commission, issued a press release about the case, and refused to settle it until recently.

The settlement agreement reached between Christian County and the Attorney General's office was for the commissioners to personally pay \$100 each, which has been done. The case never went to court.

Again, the most important part of the message I would like to share with you is this. The sole reason the County Commission hired a County Counselor was to make things better for our county. When I refer to the county, I mean you, the taxpayers.

We are glad this issue is resolved. This allows us to devote our full time and attention to the pressing needs of Christian County and its residents. We welcome any member of the public or the press to attend our meetings and become involved in all of the things the County Commission is doing.

Please come by and visit us. The Commission meets on Monday's and Thursday's, but you can usually find one of us there most any day. You may also call me at (417) 581-2112.