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# Probe: Sunshine Law broken

Investigation indicates violation by county was accidental

BY TYLER FRANCKE

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**FORSYTH** — Taney County commissioners released Monday the preliminary results of an investigation into allegations that they violated Missouri open meetings laws during the 2011 budget process in January.

One violation of the statute popularly known as the Sunshine Law was discovered in the investigation by Patricia Keck, of the Springfield law firm Keck & Austin. Keck's investigation into seven other allegations either found no violation or were inconclusive.

The violation concerned an

improper meeting held Jan. 26. According to minutes provided by the county clerk, Presiding Commissioner Ron Houseman was discussing "current county insurance issues" with Human Resources Director Dixie Wagner and Purchasing Agent Linda Gifford that day.

Eastern District Commissioner Danny Strahan, who was retrieving his mail according to Keck's report, noticed the meeting in the upstairs conference room and sat down after being asked a question.

Strahan's attendance gave the county commission a quorum and made the meeting illegal,

because a 24-hour public notice had not been given. Western District Commissioner Jim Strafuss said he was out of town that day.

Keck notes that some county employees thought another violation was made because Houseman, a former county clerk, took the minutes that day. Although statutes require county clerks to keep records for commissioners, Keck said no statute specifically requires them to take the minutes.

Houseman read a statement before the investigation's results were released. He said the decision to release Keck's findings had been voluntary.

**LAW — cont. on 3A**





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## LAW

cont. from 1A

"The commission hopes these findings will shed light publicly on a complicated issue," Houseman said.

Houseman said the commission "did not knowingly or purposefully" violate the law, and added that, as presiding commissioner, he would take full responsibility.

Other allegations investigated by Keck included that commissioners illegally went into closed session in January, and that their discussions in closed session went outside the boundaries permitted under the Sunshine Law. Keck wrote that there she found no facts to support these allegations, and it appeared commissioners followed the advice of former County Counselor Robert Paulson in choosing when to close their meetings.

"Such actions are allowed under the statute and are therefore considered reasonable under the Sunshine Law," Keck wrote.

Keck made recommendations for many of the allegations, usually to further educate county employees and the public on "Sunshine Law requirements."

"If I can sum up my recommendations in one phrase, that would be, 'Continuing education is strongly suggested,'" Keck wrote.

Keck noted that commissioners recently hosted two Sunshine Law workshops for Taney County officials and residents, but recommended an "ongoing educational approach" in the future.