



Sunshine Law investigation results released

By JANN CLARK
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On the heels of a complaint filed with the state Attorney General's Office into allegations that the Taney County Commission violated the Sunshine Law, an independent investigative report revealed that at least one violation did occur.

On Monday, the commission released the findings of an independent investigation into allegations lodged against two of the three commissioners by then and now former Taney County Councilor Bob Paulson - who recently resigned.

Paulson alleged in his formal complaint, filed with the Attorney General's Office April 4, that he had recently witnessed Sunshine Law violations. The commission then hired Pat Keck, with the law firm of Keck & Austin, to conduct an independent investigation into the allegations.

According to the report, Keck investigated eight instances of possible Sunshine Law violations and found that on January 26, Presiding Commissioner Ron Houseman and Eastern District Commissioner Danny Strahan were in violation of the state's Sunshine Law.

The allegation was that a meeting occurred between Houseman and Strahan on January 26, without notice and without Western District Commissioner Jim Straffuss being advised or present.

And there was also a complaint that Houseman took the notes instead of someone from the County Clerk's Office taking them.

In response to those allegations, Keck's report states that the January 26 meeting did occur and that two county employees were present during the discussion about county insurance issues.

Keck states in her report that the meeting wasn't a 'noticed meeting.' Strahan entered the room and as two commissioners

were present the meeting was in violation of the Sunshine Law but 'no knowing or purposeful violation' occurred, the report shows.

Keck says the law doesn't specifically require the notes of a meeting be taken by the county clerk.

Keck says that Houseman began taking notes when Strahan joined the meeting, which lasted about 45 minutes. During that time the door to the conference room shut, possibly by accident, and such an impromptu meeting was in violation of the Sunshine Law, the investigator said.

In other issues about 'closed budget meetings' that occurred in January, Keck found that Houseman asked then county Attorney Bob Paulson if the procedure was proper and Paulson advised that it was because specific employees or personal information would likely be discussed.

And according to Keck's investigation, audio tapes/minutes show that Sheriff Jimmie Russell and Circuit Court Clerk Brenda Neal both agreed to go into executive session with the commission to talk about personnel during the closed session budget meetings.

On Martin Luther King Jr. Day, an 'en blanc' meeting was held by Circuit Court Judge Mark Orr on behalf of many department heads and elected officials in the Taney County Judicial Center.

Russell was one of many county officials who said that day that the commission was violating the Sunshine Law in connection with its individual budget talks with department heads.

In Keck's investigation, she found there had been improper disclosure of closed meeting information by county department heads and closed meeting witnesses in violation of the statute, but 'such violation was not knowing or purposeful.'

During her interviews, Keck says several individuals admitted to discussing closed meeting ses-

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sion information or hearing others discuss such information.

Also on the list were complaints that after broadcasting live meetings over the Internet, the commission, since Houseman took over as presiding commissioner, have, on many occasions failed to broadcast commission meetings 'live.'

In the report, Keck says public broadcasting of public meetings is not required by law; however, 'when it has been the previous practice to broadcast the meetings, the public has a negative perception when the broadcasts are not available.'

When Strafuss came on board with the commission, he was instrumental in implementing the 'live' meeting broadcasts via the worldwide web and has been a strong proponent of broadcasting 'live' meetings since he took office.

On Monday, within an hour of the release of the investigative report and in the face of the recommendations to help the commission work through its Sunshine Law problems, Strahan and Houseman weren't in favor of broadcasting the 'road and bridge' meeting 'live' so it didn't go 'live' and people complained.

Keck suggests in her report that the commission include a guideline in its new Sunshine Law Policy regarding recording of open meetings and broadcasting of meetings.

She also recommends that the close proximity of the commissioners' offices has led to allegations that the setting is 'too familiar.' Keck suggests that commissioners separate their offices and coordinate agenda items and times through staff in order to solve the perception of improper discussion.

Strafuss said he hopes the investigation will close the chapter with the Sunshine Law findings so the commission can move forward. Strafuss said, "I'm taking

the recommendations seriously and plan to implement them, which includes moving my office to a different location."

Strahan, who said he didn't have anything to hide, said he didn't want to make a comment about the matter at this time outside of the statement read by Houseman Monday.

Houseman said in a prepared statement, "Missouri law provides that the contents of the investigation may remain closed; however, the commission has decided to voluntarily release the findings in hopes of shedding light publicly on a complicated issue.

"The findings indicate that since two commissioners were together where county issues were discussed and it was not properly posted, a violation occurred. While the commission did not knowingly or purposely violate the spirit of the law, we must always err on the side of caution and educate ourselves completely regarding Missouri Statues. I take full responsibility and will advocate an ongoing educational process for all elected and appointed administrative positions within the county system."

Two public educational meetings, in connection with the state's Sunshine Law, were conducted by a representative with the state Attorney General's Office in Taney County last week.

Nanci Gonder, press secretary for the Office of Attorney General, said no one from the Attorney General's Office had seen the findings from the report so there was 'no comment' on behalf of Attorney General Chris Koster at this time.

Gonder said the Sunshine Law complaint is still under review.

Keck said of the investigation, "To the extent that I anticipate speaking to other individuals, this is a preliminary investigation report...If I can sum-up my recommendations in one phrase that would be 'continuing education is strongly suggested.'"

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