

Big Sports Update December 22 2016

SPEAKING OF MISSOURI OPEN MEETING VIOLATIONS: Someone passed this section of the Missouri Open Meetings Law along to me in connection with our reporting that Chesterfield had councilpersons meet with Cardinal Manager Mike Matheny and Dan Buck in twos. Four or more meeting with spokesmen for the applicant would require the meeting to be posted as there would have been a quorum.

- **Members of the board get together and talk about business outside of meetings. Is that a violation?**

Under the Sunshine Law, a meeting takes place when a majority or quorum of a public governmental body gathers to discuss or vote on public business (§ 610.010(5), RSMo, and *Colombo v. Buford*, 935 S.W.2d 690 (Mo. App. W.D. 1996)). Therefore, if less than a quorum of the public body meets to discuss public business, it is not a "meeting" as defined under the Sunshine Law. However, the Sunshine Law will apply to meetings of groups with less than a quorum when the entity is deliberately attempting to evade the Sunshine Law. *See, Colombo*, cited above. For example, a public governmental body may not purposely meet in groups with less than a quorum to discuss public business and then ratify those decisions in a subsequent public meeting.

So the meetings in 2016 between councilpersons two at a time and the mayor to meet with the front people for the Top Sports Indoor Dome project and baseball fields, a hotel and shops were all illegal.

Here is a thought. Councilpersons interested in the public's right to know need to speak up during open meetings and say how they think the Open Meetings and Records Law is being violated.