

## **Meetings and Records Policy**

WHEREAS, the Missouri General Assembly has adopted significant amendments to the Missouri Open Meetings and Records Law, effective August 1995 and

WHEREAS, Section 610.028 (2) of the new law requires each political subdivision to provide a reasonable written policy in compliance with Sections 610.010 to 610.030 RSMo,

BE IT RESOLVED by the Board of Trustees of the Sedalia Public Library as follows:

### **SECTION 1-1. Policy on Meetings, Records, and Votes**

It is the policy of this Library that meetings, records, votes, action and deliberations of the Board of Trustees be open to the public unless otherwise provided by law (Section 610.021, RSMO 95).

### **SECTION 1-2. Votes**

Except as provided by law, all votes shall be recorded, and if a roll call is taken, as to attribute each "yea" or "nay" vote, or abstinence if not voting, to the name of the individual trustee; all public votes and public records shall be open to the public for inspection and duplication.

### **SECTION 1-3. Notice of Meetings; Minutes; Voting Records**

The Board of Trustees shall give notice of the time, date and place of each meeting, and its tentative agenda, in a manner reasonably calculated to notify the public of that information. Reasonable notice shall include making available copies of the notice to any representative of the news media who requests such notice, and posting the notice on a bulletin board in the Library.

Notice shall be posted at the Library at least twenty-four hours prior to the meeting, exclusive of weekends and holidays when the library is closed. If an emergency makes it impossible to give twenty-four hours' notice, the reason must be stated in the minutes.

Each meeting shall be held in the Board room of the Library, unless good cause makes it impossible or impractical. Reasonable effort shall be made to accommodate handicapped or disabled individuals provided twenty-four hours' notice is given to the library that such individual(s) desire to attend. (ADA)

When it is necessary to hold a meeting on less than twenty-four hours' notice, or at a place that is not reasonably accessible to the public, or at a time that is not reasonably convenient to the public, the nature of the good cause justifying that departure from the normal requirements shall be stated in the minutes.

A formally constituted subunit of the Board of Trustees may conduct a meeting without notice during a lawful meeting of the Board of Trustees, a recess in that meeting, or immediately following that meeting, if the meeting of the subunit is publicly announced at the Trustee meeting and the subject of the meeting reasonably coincides with the subjects discussed or acted upon by the Board of Trustees.

A journal or minutes of open meetings shall be taken and retained by the Board of Trustees, including but not limited to a record of any votes taken at such meeting. The minutes shall include the date, time, place, members present, members absent and a record of any votes taken.

#### **SECTION 1-4. Closed Meetings and Closed Records**

The Board of Trustees may close meetings to the extent they relate to the following:

- (1) Legal actions, causes of action or litigation involving the Board of Trustees and any confidential or privileged communications between the Board and its attorneys. Minutes or votes relating to such action shall be made public upon final disposition of the matter vote upon. In matters involving the exercise of the power of eminent domain, the vote shall be announced or become public immediately following the action on the motion. Legal work product shall be considered a closed record.
- (2) Leasing, purchase or sale of real estate by the Board of Trustees where public knowledge of the transaction might adversely affect the legal consideration therefore. Any minutes or vote or public record approving a contract relating to the leasing, purchase or sale of real estate by the Board shall be made public upon the execution of the lease, purchase or sale of the real estate.
- (3) Hiring, firing, disciplining or promoting of particular employees by the Board of Trustees. Any vote on a final decision relating to such action by the Board must be made available to the public within seventy-two hours of the close of the meeting where such action occurs; provided, however, that any employee so affected shall be entitled to prompt notice before such decision is made available to the public.
- (4) Nonjudicial mental or physical health proceeding involving identifiable persons, including medical, psychiatric, psychological, or alcoholism or drug dependency diagnosis or treatment.
- (5) Testing and examination materials, before the test or examination is given or, if it is to be given again, before so given again.

- (6) Software codes for electronic data processing and documentation thereof.
- (7) Specifications for competitive bidding, until either the specifications are officially approved by the Board of Trustees or the specification are published for bid.
- (8) Sealed bids and related documents, until the bids are opened; sealed proposals and documents related to a negotiated contract until a contract is executed, or all proposals are rejected.
- (9) Individually identifiable personnel records, performance ratings or records pertaining to employees or applicants for employment, except that this exemption shall not apply to the names, positions, salaries and lengths of service of officers and employees of the Sedalia Public Library once they are employed.

#### **SECTION 1-5. Closed Meetings, procedure and limitation**

No meeting or vote may be closed without an affirmative public vote of the majority of the Board of Trustees. The vote of each member of the Trustees and the specific reason for closing that public meeting or vote shall be made public at an open meeting of the Board of Trustees and entered into the Minutes. At this meeting, the Board of Trustees shall give notice of the time, date and place of such proposed closed meetings or vote and the reason for holding it. The Board shall not discuss any business in a closed meeting, record or vote which does not directly relate to the specific reason announced to justify the closed meeting or vote.

#### **SECTION 1-6. Custodian of records; procedures and charges for information requests**

The Library Director shall be the Custodian of records and will be responsible for the maintenance and control of all records. The Custodian shall make available for inspection and copying by the public of the Board's public records. No person shall remove original public records from the office of the Library or its Custodian without written permission of the Custodian.

Each request for access to a public record shall be acted upon as soon as possible, but in no event no later than the end of the third business (week) day following the date the request is received by the Custodian. If additional delay is needed, the Custodian shall give a detailed explanation for the delay and the date the record will be available.

If a request for access is denied, the Custodian shall provide, upon request, a written statement of the grounds for such denial. Such statement shall cite the

specific provision of law under which access is denied and shall be furnished to the requestor no later than the end of the third business (week) day following the date that the request statement is received.

If a public record contains material which is both exempt and nonexempt from public disclosure, the Board shall make only the nonexempt material available for examination and copying.

**SECTION 1-7. Fees for Copying Public Records**

The Custodian shall charge 25 cents per page for duplication costs and seven dollars per hour for document searches. Payment of copying fees may be requested by the Custodian prior to making of copies. Payment of fees for searching must be made before material is released by the Custodian.

**SECTION 2. This resolution shall be in full force and effect from and after its passage and approval.**

Last Reviewed by the Board: Nov. 12, 2024

Date: August 26, 1996

(Supersedes Policy Adopted March 28, 1988)