

DA investigates open meetings complaint

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AUGUST 16, 2009

COTTON VALLEY — The town of Cotton Valley did not give the public 24-hour notice of all of the business being discussed at the Aug. 11 monthly meeting, leading to an apparent violation of the state's open meetings law.

The Times has filed a complaint with Webster Parish District Attorney Schuyler Marvin, who is reviewing the allegations. He expects to have an answer this week.

State law requires the town's governing body to post an agenda, essentially an advanced notice of what they want to talk about, at least 24 hours before the meeting. The town's mayor and Board of Aldermen hold regular monthly meetings at 6 p.m. on the second Tuesday of each month.

An agenda was posted Aug. 10, clerk Kathy Vines said. However, at 7:30 a.m. Aug. 11, the agenda was changed to add an item listed as "water/sewer" at an alderwoman's request. That shortened the public's notice to less than 12 hours.

Asked whether she knew the action was in violation of the law, Vines responded, "I know. I know."

"The Louisiana Constitution notes that 'all government originates with the people' and is 'founded on their will alone.' Based on that premise, the Constitution further provides that 'no person shall be denied the right to observe the deliberations of public bodies,'" Public Affairs Research Council of Louisiana spokeswoman Ann W. Heath said of the importance of open meetings.

In addition to the switched agenda, the aldermen also voted on at least two items that were brought up under "old business" but which had not been added to the agenda. The state's open meeting law always has allowed a public body to add an item to the agenda; however, the law was changed last year to require an amendment to receive a unanimous vote of the members present rather than a two-thirds vote. The public also must be offered the opportunity to comment on the addition prior to the vote.

If citizens are to meaningfully participate in government they must be informed and understand how government actions affect their lives. To that end, the decision-making process of governmental bodies (as well as the outcomes of that process) must be conducted in the public view. Proper notice of the meetings and posting the agenda to be discussed are crucial to ensuring that citizens who wish to attend a meeting may do so and can understand the issues to be discussed," Heath said.

Cotton Valley's meetings often invite joint participation. Audience members quiz aldermen throughout the meeting and stand and make comments on issues whether on the agenda or not.

Mayor Comerdis Phillips at a July meeting referred to it as the "Cotton Valley way." The meetings typically draw two dozen or more citizens on a regular basis.